
REGULAR CIVIL SUIT NO. 74 OF 2016

Order below application at Exh.5 :-

By way of filing the present application under Order 39 Rule 1, 2 of the Code of Civil Procedure, the plaintiffs have prayed for interim injunction in terms of para 13(1) of the present application, till the final disposal of the suit.

Read this application, plaint and other related papers on record. Heard Mr. A.P. Shah, learned advocate appearing for the plaintiffs and Mrs. B.J. Patel, learned advocate appearing for the defendants.

It transpires from the record that the plaintiffs and the defendants are family members and the plaintiffs have filed the present suit for partition of the suit lands and for permanent injunction against the defendants.

However, today, Mrs. B.J. Patel, learned advocate appearing for the defendants has submitted that the defendants shall not transfer the suit lands in any manner till the final disposal of the suit and she has prayed to expedite the suit and on such terms, she has no objection if the present interim injunction application be heard along with the suit and accordingly, she has made an endorsement to that effect on the present application.

Mr. Shah, learned advocate appearing for the plaintiffs has also fairly submitted that since the defendants shall not transfer the suit lands during the

pendency of the present suit and in view of the endorsement made by the learned advocate appearing for the defendants, the plaintiffs have also no objection if the present interim injunction application be heard along with the suit and accordingly, he has also made an endorsement to that effect on the present application.

Thus, in the instant case, the learned advocate appearing for the defendants have declared that the defendants shall not transfer the suit lands during the pendency of the present suit and accordingly, the learned advocates appearing for the respective parties have made such endorsements on the present interim injunction application.

In view of the endorsements made by the learned advocates appearing for the respective parties, the present interim injunction application is ordered to be heard along with the suit.

The defendants shall not transfer the suit lands in any manner till the final disposal of the present suit. No order as to costs.

Pronounced in the open court on this 22nd day of August, 2022.

Date: 22nd August, 2022.

(Rajendra Ghanshyambhai Barot)
Principal Senior Civil Judge
Mangrol, District : Surat
Judge Code : GJ00572