

Date:12.01.2021

**O.S.192/2021**

This suit is filed by the plaintiff against the defendants for permanent injunction.

2. Along with the suit, the plaintiff has also filed I.A.Nos.1 and 2 under Order XXXIX Rules 1 and 2 R/W Sec.151 of CPC to grant ad-interim exparte temporary injunction against the defendants, as prayed for in the application.

3. Court perused the plaint averments, sworn affidavit filed by the plaintiff along with I.A.Nos.1 and 2 and also the documents, goes to show that right now the suit schedule property is standing in the name of plaintiff. The plaintiff has purchased the suit schedule property under registered sale deed dated 24.04.2012. The Katha Certificate also stood in his name. He is paying tax in respect of suit schedule property to BBMP. Therefore, at this preliminary stage, it is just and proper to protect the interest of the plaintiff over the suit schedule property. The delay in disposal of I.A.Nos.1 and 2 would defeat its purpose. Therefore issue of notice of I.A.Nos.1 and 2 to the defendants is hereby dispensed with. If I.A.Nos.1 and 2 are not allowed, it would cause irreparable loss and prejudice to the plaintiff. Hence the Court proceeds to pass the following orders:-

## **ORDER**

I.A.Nos.1 and 2 filed by the plaintiff U/O 39 Rules 1 and 2 R/w Sec.151 of CPC are hereby allowed.

It is hereby directed to the defendants, their agents, servants or anybody on their behalf are hereby restrained from interfering with the peaceful possession and enjoyment of the plaintiff over the suit schedule property and causing any damage to the compound wall constructed, till appeared of the Defendants.

Issue order of exparte temporary injunction and suit summons to the defendants.

Comply order of exparte temporary injunction U/O 39 Rules 3(a) & (b) of CPC.

Call on 04.02.2021.

**I/c. IX A.C.C. & S.J., Bengaluru.**