

O.S. 3851/2021

I.A.No.IV, U/Sec. 151 of CPC is filed by applicant/plaintiff for leave to produce xerox copies of the partition deed dated 19.4.2003 and Form-B property register extract with a liberty to file the certified copies of the said documents at the appropriate stage.

Perused I.A.IV and allowed.

plaintiff is permitted to produce certified copies of the documents stated in said I.A., as prayed.

Perused the plaint, I.A. I and II and the documents filed along with the plaint.

Plaintiff has produced photo copy of registered gift deed dated 4.9.2013, 2 registered sale deeds dated 21.9.2017 and 3.5.2018 and suit schedule properties documents issued by BBMP.

The above documents prima-facie discloses that, suit schedule properties are not in the possession of plaintiff.

Plaintiff has produced 4 photos of a house. These photos are not sufficient to come to an opinion that, plaintiff prima-facie made out the

suit schedule properties are in his possession.

At this juncture, I am not satisfied that, plaintiff has made out the prima facie case. I am also not of the opinion that, the object of grant of temporary injunction would be defeated by delay if, I order to issue notice on I.A.I to defendant No.7 and I.A. II to defendant No. 6 and 7. I am of the opinion that, hear the defendant No. 6 and 7 before passing any orders on IA.I and II is necessary. In the above circumstances, I proceed to pass the following:

ORDER

Issue suit summons to defendants, Emergent notice on IA.I to defendant No.7, Emergent notice on I.A.II to defendant No. 6 and 7 and Emergent notice on I.A.III to defendants.

R/By 01.9.2021.