

ORDER ON I.A.No.1

The plaintiff has filed this suit for declaring the Sale Deed dated 20.10.2022 and 28.02.2024 and to declare the Sale Deed obtained with respect to Item No.2 fraudulently. Therefore, to declare that as null and void and to direct the 1st defendant to pay balance sale consideration amount of Rs.9,00,000/- in respect of Item No.1 of suit schedule property and for permanent injunction restraining the defendants No.2 and 3 or any one claiming or acting through them from alienating, transferring, leasing or trying to deal with the Item No.2 of the schedule property.

The applicant/plaintiff has filed an application under Order 39 Rule 1 & 2 r/w Sec.151 of CPC, to pass an order of ad-interim order of temporary injunction restraining the defendants, their heirs, henchmen, representatives, agents, servants or anybody claiming or acting through them from creating any third party interest by way of alienating, transferring,

leasing the Item No.1 and 2 of the suit schedule properties in any manner.

Perused the documents, affidavit and the plaint averments.

In order to show that he is owner of the suit schedule property he has filed Gift Deed by virtue of which he has obtained his title over the suit schedule property. The plaintiff has produced two Sale Deeds dated 20.10.2022 and 28.02.2024 with respect to Items No.1 and 2 respectively to show that he was entered into the agreement. Therefore, as both are the registered documents and now he is denying that he has not executed the Sale Deeds. Therefore, at this stage as the registered document item No.1 and 2 are transferred with a registered documents styled as Sale Deeds. Whether the Sale Deed with respect to Item No.2 is fraudulently obtained by the defendant No.1 with respect to item No.2 is the point of to be considered after full-fledged trial. Therefore, at this stage it is just and proper to hear other side before

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passing any interim orders. Therefore, I proceed to pass the following:-

ORDER

Issue Suit Summons, Emergent Notice on I.A.No.1 to the defendants, by 06.11.2025.

(Nisharani A.C)
III A.C.C & S.J. Bengaluru.