

O.S.No. 529 of 2024

Case called out. Shri. BNS. advocate for the plaintiff is present. He fully argued on IA No.1 filed under O 39 R 3 CPC.

**INTERIM ORDER ON I.A.NO.1 FILED UNDER
ORDER 39 RULE 1 AND 2 OF C.P.C.**

The plaintiff has filed this suit for the relief of partition against the the defendants & also filed I.A.No.1 under order 39 Rule 1 and 2 of CPC, praying for grant of exparte order of temporary injunction against the defendants restraining them from alienating the suit properties till disposal of the suit.

Perused the plaint averments, I.A.No.1 and affidavit annexed thereto and documents produced along with plaint. In the revenue record of suit properties the name of defendants are appeared.

In order to avoid the multiplicity of proceedings and to prevent ends of justice from being defeated, it is just and necessary so as to prevent the object of filing the suit be defeated. Hence, notice is dispensed with. Further, to grant of order of ad-interim exparte temporary injunction would be appeared to this court to be just and convenient to protect subject matter of suit and also to protect the interest of plaintiffs. Accordingly proceed to pass the following;

ORDER

The defendants are hereby restrained from alienating the suit properties.

This order shall remain in force till filing of objections or next date whichever is earlier.

Office is hereby directed to issue certified copy of this order, after compliance of orders 39 Rule 3 of CPC and requisite P.F. is paid.

Issue Suit summons, notice on I.A.No.1 and order of ex-parte temporary injunction to the defendants if P.F. is paid.

Since this Court has issued the order of exparte temporary injunction by dispensing the notice on IA No.1, the IA No.2 is does not survive. Hence the same is disposed off.

Returnable by 16-01-2025

PCJ & JMFC, CHANNAPATANA.