

Heard the learned counsel for the plaintiff on IA-I. Perused the materials placed on record. The suit is for the relief of mandatory injunction. The IA-I is filed by the learned counsel for the plaintiff under Order XXXIX Rule 1 & 2 R/w section 151 of CPC seeking an ad-interim ex parte temporary injunction to restrain the defendant from alienating the suit property or creating any encumbrance over the suit property, pending hearing and disposal of the suit.

The IA-I is supported with the affidavit of the plaintiff. On going through the entire averments of the affidavit and that of the documents produced by the plaintiff, at this stage, the Court is of the opinion that the plaintiff has made out grounds to pass an ad interim ex parte temporary injunction order. If an ex parte temporary injunction is not granted, it will defeat the purpose of filing the suit. Hence it is found necessary at this stage to pass an ex parte temporary injunction order as prayed for. In view of this, I proceed to pass the following,

### **ORDER**

The defendant is hereby restrained from either alienating the suit property or creating any encumbrance over the suit property, till next date of hearing by way of exparte temporary injunction.

The plaintiff are hereby directed to comply with the provision of order 39 Rule 3 of CPC without fail.

Office is hereby directed to issue ex parte temporary injunction order after compliance.

Issue suit summons to defendant and emergent notice of IA-I to the defendant by hand, if P.F. is paid and steps taken.

Sd/-  
(Smt. Vinutha B.S.)  
IV Addl. Civil Judge & JMFC, Belagavi