

Heard Shri. VSD Advocate.

This is the suit for specific performance of contract and declaration and permanent injunction. I.A.No.I filed under Order 39 Rule 1 and 2 R/w. Section 151 of C.P.C. seeking temporary injunction restraining the defendants or anybody acting on their behalf from making any construction over the suit property, till disposal of suit.

Perused the documents and materials on record. After due perusal, the Court observes and opines that, by considering the nature of the suit i.e., the relief of specific performance and nature of the relief sought in the I.A. and further facts of the case, it is necessary to hear the defendants before passing any order on I.A. No.I. The plaintiff vehemently argued that, the construction permission is taken before the sale. Perused the construction permission etc. Hence, the Court is of considered opinion that, till appearance of defendants the facts cannot be ascertained. Hence, I proceed to pass the following

ORDER

Issue emergent notice and suit summons to defendants.

Returnable by : 02/11/2015

Sd/-

IV Addl. C. J. and J.M.F.C., Belagavi.