

KABG210038002021



**IN THE COURT OF
I ADDL CIVIL JUDGE AND JMFC ATHANI AT
,BELGAUM
Presided Over by SMT.RASHMI S MARADI**

O.S./689/2021

Plaintiff:

Smt. Shaila W/o Sunil Kamble

Age: 31

Address: R/oMadabanvi Tq Athani Now at Aigali

VERSUS

Defendent:

Shri. Manohar S/o Shivaray Holer @ Kamble

Age: 54

Address: R/o Aigali Tq Athani Dist Belagavi

2:Smt. Sanjiveeni D/o Shivaray Holer @ Kamble

Age: 51

R/o Aigali Tq Athani Dist Belagavi

3:Shri. Uttam S/o Shivaray Holer @ Kamble

Age: 57

R/o Aigali Tq Athani Dist Belagavi

4:Smt. Sushila D/o Shivaray Holer @ Kamble

Age: 65

R/o Aigali Tq Athani Dist Belagavi

5:Smt. Sukhadevi W/o Manohar Holer @ Kamble
Age: 35
R/o Aigali Tq Athani Dist Belagavi

6:Shri. Santosh S/o Manohar Holer @ Kamble
Age: 31
R/o Aigali Tq Athani Dist Belagavi

7:Shri. Mahantesh S/o Manohar Holer @ Kamble
Age: 27
R/o Aigali Tq Athani Dist Belagavi

8:Shri. Ashok S/o Bhimaray Holer @ Kamble
Age: 35
R/o Aigali Tq Athani Dist Belagavi

9:Shri. Sachin S/o Bhimaray Holer @ Kamble
Age: 33
R/o Aigali Tq Athani Dist Belagavi

10:Shri. Ramu S/o Bhimaray Holer @ Kamble
Age: 31
R/o Aigali Tq Athani Dist Belagav

: ORDER ON IA NO.1 :

The counsel for the plaintiff has filed IA No.1 U/Order 39 Rule 1 & 2 R/w Sec.151 of CPC requesting the Court to grant exparte temporary injunction in favour of the plaintiff against the defendants from alienating the suit schedule properties, till disposal of the suit, for the reasons stated in the accompanying affidavit.

Plaintiff has contended that she and defendants together constitute a joint family and the suit

schedule properties are the joint family properties standing in the name of defendants. That defendants No.1 to 4 are now intending to sell the suit schedule properties to third party in order to deprive the valuable right of the plaintiff.

Plaintiff has produced RTC extracts.

Heard counsel for the plaintiff on IA-I.

Perused pleadings, affidavit in support of IA No.1, documents produced by the plaintiff and records. On perusal of the plaint and the materials available at this stage, I am of the opinion that the plaintiff has made out prima-facie case, balance of convenience and irreparable loss in her favour for the grant of exparte Temporary Injunction order.

Hence, I proceed to pass the following;

: ORDER :

Exparte TI order is issued against defendant No.1 to 4, restraining them alienating the suit schedule properties in any manner, till next date of hearing.

The plaintiff shall comply with the mandatory provisions of Order 39 Rule 3 of CPC.

Issue TI order, notice on IA-I to
defendants No.1 to 4 and suit summons to
defendants returnable by 23/8/2021.

Sd/-

I Addl. Civil Judge & JMFC, Athani.