

ORDER ON IA No.I

The present application is filed by the plaintiff U/o 39 rule 1 and 3 of CPC seeking exparte ad-interim Temporary Injunction to restrain the defendant No.1 from cutting, removing the planted mango trees standing in the suit property till the disposal of the suit.

2. The plaintiff has filed the present suit seeking relief of declaration that he is

the owner of the suit property and permanent injunction in respect of the suit property. The plaintiff contended that he is in settled possession and cultivation of RS No.127 measuring 11 acres 32 guntas since date of purchase on 30.01.2001. Prior his purchase, his sellers are in possession and cultivation of the suit land along with RS No.127 of Sangolli since time immemorial. The plaintiff after purchase with the bonafide assumption and belief given by the sellers that suit land is part and parcel of RS No.127 continued till date and he has grown many different crops in the suit land along with their land RS No.127 on rotation basis till decided to plant mango trees in suit land along with land RS No.127. The father of the plaintiff had planted 200 mango trees in an area of about 03 acres of land inclusive of the suit land and in RS No.127. During life time of his father or plaintiff were informed by the defendant No.2 and 3, they are the owners of the suit property. There was no any disturbance from the defendant No.2 and 3 or from their ancestors. From their actions they

made to believe that the father of the plaintiff is owner of the suit property. The defendant No.1 since 15 days ago claim that he has purchased the suit property from defendant No.2 and 3 and have put him in possession, under grab of the sale deed without possession now trying to interfere with his possession over the suit property and the defendant No.1 trying to remove the mango trees in the suit property to get possession of the suit property. Hence, prays to allow the application.

3. The plaintiff in support of his contention produced the RTC of the suit land and RTC of RS No.127, photos, sale deed pertaining to RS No.127. On perusal of the RTC, it appears that, the RTC pertaining to suit property stands in the name of defendant No.1. The plaintiff claim that he is in possession of suit land along with RS No.127. As the suit property is agricultural land ,hence, in the present facts of the case before passing any order on IA No.1, it is necessary to here the other side. Hence, the following:

ORDER

Issue emergent notice on IA
No.1 and suit summons to
defendant.

R/by - 29.04.2026.

Sd/-

**I Addl. Civil Judge and JMFC
Bailahongal.**