

ORDER ON I A No.I

Heard Ld counsel for plaintiff on IA No.I.

Perused the plaint averments, I.A.No.I along with affidavit and documents produced by the Plaintiff. On perusal of the check slip there is no caveat filed in this case. The suit for Permanent Injunction.

IA. No.1 is filed U/o.39 Rule 1 & 2 R/w 151 of CPC., for the relief of T.I. against the defendants restraining their men, agent and servants from dismantling the suit property till disposal of the suit.

On perusal of the above said materials on record, I am of the considered opinion that if ex-parte T.I. is not granted against the defendants, the purpose of the suit will be frustrated and the object of granting injunction would be defeated by delay and it will lead to multiplicity of proceedings. Plaintiff has made out prima-facie case to grant ex-parte temporary injunction against defendants at this stage. Hence, proceed to pass the following;

ORDER

The Defendants are hereby restrained from their men agent and servants from dismantling the suit property to till next date of hearing or till appearance of parties whichever is earlier.

Issue notice on T.I, I.A. No.1 on defendants.

Plaintiff shall comply Order 39 Rule 3(a) of CPC.

Prl. C J & JMFC, Gokak.

ORDER ON I A No.II

Heard Ld counsel for plaintiff on IA No.II.

Perused the plaint averments, I.A.No.II along with affidavit and documents produced by the Plaintiff. On perusal of the check slip there is no caveat filed in this case. The suit for Parmanent Injunction.

IA. No.II is filed U/o.39 Rule 1 & 2 R/w 151 of CPC., for the relief of T.I. against the defendants restraining their men, agents and servants from dispossessing the plaintiff and her children from suit property till disposal of this suit.

On perusal of the above said materials on record, I am of the considered opinion that if ex-parte T.I. is not granted against the defendants, the purpose of the suit will be frustrated and the object of granting injunction would be defeated by delay and it will lead to multiplicity of proceedings. Plaintiff has made out prima-facie case to grant ex-parte temporary injunction against defendants at this stage. Hence, proceed to pass the following;

ORDER

The Defendants are hereby restrained from their men, agents and servants from dispossessing the plaintiff and her children from suit property to till next date of hearing or till appearance of parties whichever is earlier.

Issue notice on T.I, I.A. No.II on defendants and suit summons to the Defendants.

Plaintiff shall comply Order 39 Rule 3(a) of CPC.

Call on.20-02-2024.

Prl. C J & JMFC, Gokak.