

OS No165/2023

ORDER ON I.A.No.I

The plaintiffs have filed this application under Order XXXIX Rules 1 and 2 R/w/s. 151 of CPC seeking exparte temporary injunction order restraining defendants from alienating the suit schedule property in any manner till the disposal of the suit.

I have carefully perused the plaint averments and documents. It appears that the plaintiff has filed this suit for specific performance of contract in respect of suit schedule property. Now the plaintiff has filed this IA seeking exparte injunction restraining the defendant from alienating suit schedule property. On going through the documents the land bearing RS.NO.91/1 extent 04.00 acre out of 00 acre 35-05-33 and 0-18 guntas of Hukkeri which are standing in the name of defendants No.1. At this stage, if the order of temporary injunction is granted, no harm will be caused to the other side. On the other hand, if the exparte temporary injunction order is refused, the legal rights of the plaintiffs will be defeated. Hence, this court proceed to pass the following:

ORDER

I.A.No.I filed under Order XXXIX Rules 1 and 2 R/w/s. 151 of CPC by the plaintiffs is hereby allowed.

The exparte ad-interim injunction is granted. The defendants are restrained from alienating the suit schedule property in any manner till the next date of hearing.

The plaintiffs are directed to comply with Order XXXIX Rule 3-A of CPC.

Issue exparte temporary injunction order and suit summons to the defendants.

Returnable by: 18.09.2023

Civil Judge & J.M.F.C. Hukkeri