

Perused the check slip and found no Caveat is pending in between the parties to this case.

Heard Advocate for Plaintiffs with reference to I.A. No.I.

Perused the plaint averments, the contents of the affidavit filed in support of I.A. No.I along with documents filed along with the plaint.

On perusal, I am of the opinion that, the plaintiffs has made out a Prima-facie case at this stage to grant Ad-interim relief against the defendants no.1 and 4 as prayed for in I.A. No.I. If the notice on I.A. No.I is ordered to be issued, then it may defeat the very purpose of the suit. If in the mean time, the suit property is alienated/transferred or if any encumbrance is created over the same by the defendants no.1 and 4 without the express consent of the plaintiffs, it may lead to multiplicity of the proceedings thereby creating third party's interest. Therefore, to avoid such a situation, in my considered view an ex-parte temporary

injunction needs to be granted against the defendants no.1 and 4 from alienating the suit schedule property till next date of hearing.

The facts and circumstances of this case do warrant me to issue ad-interim injunction against the defendants no.1 and 4 from alienating the suit schedule property till next date of hearing.

Issue suit summons, notice of I.A. No.I, ex-parte temporary injunction notice to the defendants, along with copies of plaint, list of document I.A. No.I if P.F. is paid.

The plaintiffs are hereby strictly directed to comply the mandatory Provisions of Order 39 Rule 3 of CPC.

Office is hereby strictly directed not to issue the certified copy of the above said Order till the plaintiffs complies the mandatory Provisions of Order 39 Rule 3 of CPC.

Returnable by: 04-03-2023.

Senior Civil Judge & JMFC.,
Khanapur