

Heard Shri.INN counsel for Plaintiffs on I.A.No.1.

Plaintiffs have filed I.A.No.1 U/o.XXXIX Rules 1 and 2 R/w Sec.151 of CPC, seeking ex-parte temporary injunction order against the Defendants and sought to restrain them, their agents and anybody acting on their behalf from alienating,the suit schedule properties either by way of gift, sale, mortgage, etc., pending disposal of the suit.

Perused the I.A.No.1 and entire records.

The Plaint averments and the documents furnished along with the plaint prima-facie discloses that the suit properties are the ancestral and joint family properties of plaintiffs and defendants. If the defendants succeed in alienating the suit properties, the very purpose of filing of the suit will be defeated and it may lead to multiplicity of proceedings and may create third party rights.

Hence, the following:-

ORDERS

The I.A.No.I filed by the Plaintiffs U/O 39 Rules 1 and 2 R/w Sec.151 of CPC is allowed as under:-

An ex-parte Order of T.I. is granted and the Defendants, their agents and anybody acting on their behalf are temporarily restrained from alienating,the suit schedule properties either by

way of gift, sale, mortgage, etc., till next date of hearing.

Plaintiffs are directed to comply with the provisions of Order XXXIX Rule 3(a) of CPC, failing which the ex-parte order of T.I. automatically gets vacated there off.

Office to issue notice of I.A.No.1, ex-parte order of T.I. on I.A.No.I along with suit summons to defendants, if PF is paid and the conditions mentioned above is duly complied.

Call on : 14.06.2022.

Sd/-

**Senior Civil Judge & JMFC.,
Khanapur.**