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Case called out.

Heard the learned counsels for plaintiffs.

Perused I.A.No.I to IV, affidavit of the plaintiffs, plaint and other documents available on record.

The plaintiffs have filed **I.A.No.I** U/Sec.80(2) of CPC seeking permission for institution of the suit without issuing prior notice as required U/Sec.80 of CPC to the defendants.

I.A.No.II U/Order 39 Rule 1 and 2 of C.P.C. praying to restrain the defendant No.8 to 10 from issuing any permission certificate to construct any type of construction on the suit property till disposal of the suit.

I.A.No.III U/Order 39 Rule 1 and 2 of C.P.C. praying to restrain the defendant No.1 to 6 from making any type of construction on the suit property, till disposal of the suit.

I.A.No.IV U/Sec.284 of Karnataka Panchayat Rajya Act praying to exempt the plaintiffs from issuing prior notice to Panchayat Authority as required under said provisions in the interest of justice and equity.

Perused **I.A.No.I & IV**, pleadings and other materials available on record. On going through the same and the urgency of plaintiffs as set out in thier affidavit, this Court is of the opinion that I.A.No.I & IV deserves to be allowed.

Perused **I.A.No.II & III**, alongwith affidavit of the plaintiffs, plaint and other

documents available on record and this Court is of the opinion that, it is just and proper to hear defendants before passing any orders on I.A.No.II and I.A.No.III. Accordingly, I proceed to pass the following:

ORDER

I.A.No.I filed by the plaintiff U/Sec.80(2) of C.P.C and **I.A.No.IV** U/Sec.284 of Karnataka Panchayat Rajya Act are hereby **Allowed**.

The plaintiffs are permitted to institute this suit and issuance of notice as required U/Sec.80(2) of C.P.C and U/Sec.284 of Karnataka Panchayat Rajya Act o the defendants are hereby dispensed with.

Further, Issue Emergent notice on **I.A.No.II** to defendant No.8 to 10 and Emergent notice on **I.A.No.III** to defendant No.1 to 6 and suit summons to the defendants R/by: **10-02-2023**.

23-01-2023
[Typed to my dictation]

Civil Judge & JMFC Mudalagi.