ORDERS ON I.A.NO.II

Heard the learned counsel for the plaintiff. The plaintiff has filed suit for partition claiming his legitimate share in the suit property on the ground that the suit properties are his ancestral joint family properties. The plaintiff has produced relevant documents. The plaintiff apprehends that the defendants will alienate the suit property and will create third party interest over the suit property during pendency of the suit in order to deprive the right of the plaintiff over the suit schedule propeties.

The time required to serve the suit summons and I.A. notices will defeat the very purpose of the suit and applications. If the defendants are allowed to alienate or to create third party interest over the suit property during the pendency of the suit, it will lead to multiplicity of proceedings. Hence the plaintiff has made out prima facie case to grant exparte temporary injunction. Hence the following:

ORDER

I.A. No.2 filed by the plaintiff under Order 39 Rule 1 and 2 R/w Section 151 of CPC is hereby allowed.

The defendants are restrained from alienating or creating any charge over the suit schedule properties till next date of hearing.

The plaintiff is directed to comply order 39 Rule (3) of CPC.

Issue temporary injunction order, I.A.notice and suit summons to defendants if PF paid and necessary copies of the documents furnished.

Call on 17.06.2020.

II ADDL. SENIOR CIVIL JUDGE, BALLARI.