

ORDER ON IA NO.I

The counsel for plaintiffs have filed I.A.No.I under Order 39, Rule 1 & 2 R/w Sec. 151 of CPC, requesting the Court to grant exparte Temporary Injunction restraining the defendants No.1 to 3 and their PA holder from alienating and creating any type of charge over the suit schedule properties in favour of third parties till disposal of the suit.

Heard counsel for the plaintiffs.

Perused the pleadings and affidavit in support of IA No.I, documents produced by the plaintiffs and Court records. At this stage and an available materials on record I am satisfied that, plaintiffs have made out prima-facie case in this case. Balance of convenience also liens in favour of plaintiffs. Irreparable loss and hardship will be caused to the plaintiffs. If the exparte temporary injunction is not granted and very purpose of filing of the suit will be frustrated.

Hence, after dispensing the prior notice on IA No.I to the defendants, I proceed to pass the following

ORDER

The defendants No.1 to 3 or any persons acting on their behalf is hereby restrained by way of exparte temporary injunction from alienating suit suit schedule properties or creating any

charge/encumbrance there on till next date of hearing.

The plaintiffs shall comply with the mandatory provisions of order 39 rule 3(a) of CPC.

The office is hereby directed not to give certified copy of this order to the plaintiffs unless and until he comply with the mandatory provisions of order 39 rule 3(a) of CPC.

Issue suit summons to defendant No.1 to 3 and emergent notice on IA No.I and notice on Temporary Injunction to defendants No. 1 to 3 through RPAD.

Call on 28.08.2024.

Prl. Senior Civil Judge & JMFC.,
Mudhol.