

Addl. CIVIL JUDGE & JMFC, MUDHOL

O.S. 188/2024

**Ex-parte orders on I.A.I**

The Plaintiff has filed the I.A.No.1 under Order XXXIX Rule 1 and 2 of CPC praying to issue ad-interim exparte temporary injunction against the defendants as prayed in her application.

Perused the plaint, documents and all materials on record.

Heard the learned counsel for the plaintiff.

On going through the entire materials on record, the facts and circumstances of the case, prima-facie case is made out at this stage. If an exparte temporary injunction is not granted and delay is caused due to service of notice to opposite party, irreparable loss will be caused to the plaintiff and purpose of filing the suit will be defeated. The balance of convenience lies in favor of the plaintiff. Therefore, the plaintiff is entitled for exparte temporary injunction. Accordingly, I proceed to pass the following:

**ORDER**

The I.A.No.1 filed under Order XXXIX Rule 1 and 2 of the C.P.C. is hereby allowed.

Accordingly defendant or any other persons claiming under him are hereby temporarily

restrained from alienating, mortgaging, transferring the share of defendant (5 acre 23 gunta) out of suit schedule property bearing RS No.138 measuring 21 acre 10 guntas of Ningapur village, in any manner till appearance of defendants.

Issue order of ex-parte temporary injunction if Order XXXIX Rule 3 of CPC is complied with to defendants.

Issue notice on I.A.No.I and suit summons to the defendants if the above order is complied and PF is paid.

Call on 12.09.2024

Sd/-  
Addl. Civil Judge & J.M.F.C.,  
Mudhol