

OS 232/2023.

Case called out.

Plaintiff absent.

Counsel for Plaintiff present and files a memo along with photo copy of document and photograph taken on record.

Counsel further addressed his arguments.

Posted for orders at 5.00 pm.

Orders at 5.00 pm.

OS 232/2023.

Orders on I.A. No. 1

This is the suit filed by the plaintiff for seeking relief of permanent injunction against the defendants restraining them from causing any obstruction of plaintiffs peaceful possession from the suit schedule property.

Counsel for plaintiff submits that by pressing exparte interim order on I.A.No.1 vehemently argued that the plaintiffs are the absolute owners and in possession over the suit schedule properties. Even In the suit schedule properties No.2 their exists the the shed which is user for business.

The defendants without having rights titled and interest suddenly they are trying to store the materials for construction there by their obstruction and damaging their property.

Now the defendants is also in hurry to dispossessing the plaintiff high handedly and illegally.

I have carefully gone through the sale original deed which shows that plaintiffs have purchased suit schedule properties from his previous vendor in the year 2013. Property extracts, Tax paid receipts and other documents.

By perusal of photos produced its shows that they exists a shed and collection of bricks and a syntex and also using JCB.

Under these circumstances, it appears plaintiff establishes prima facie apprehensive facing by them.

By considering the documents on record and facts stated in the affidavit annexed to the application, it appears plaintiff having prima-facie case and even to avoid the wastage and also to avoid multiplicity of proceedings and also delay in granting injunction would defeat the object of the injunction applied for, it is required to maintain status-quo by both the parties till the next date of hearing.

Hence court passes the following order.

:ORDER:

The plaintiffs and defendants both are directed to maintain status-quo by keeping the suit schedule properties without changing its nature and not to put up construction.

Plaintiff/applicant is hereby directed to issue notice to defendants for compliance under order 39 rule 3 of C.P.C.

Office is directed to issue this order copy to plaintiff after compliance.

Plaintiff directed to furnish deficit fee if any and necessary copies if any.

Issue suit summons and emergent notice to defendant by 10-01-2024.

Sd/-
**Pril Civil Judge and JMFC.,
Mudhol.**