

ORDER ON I.A.NO.I

The plaintiffs have filed this suit against the defendant for the relief of declaration and consequential relief of permanent injunction.

The plaintiffs have also filed I.A.No.I Under Order 39 Rule 1 and 2 R/w sec.151 of CPC seeking temporary injunction against defendant and his followers restraining them from erecting any windows in the suit wall so as to destroy the identity of the suit wall as joint and common wall denoted by letters DE in the plaint hand sketch map till disposal of the suit. In support of it, the plaintiff No.1 filed his affidavit.

Heard. Perused IA No.I, annexed affidavit, plaint and documents produced by the plaintiffs at this stage.

On perusal of the averments of the plaint as well affidavit filed in support of the IA No.I, it appears that, in order to grant Temporary Injunction as sought by the plaintiffs against the defendant, it is just and necessary to hear the other side, before passing any order on this IA No.I. As the present plaintiffs are not parties to the

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caveat, this court is not restrained from considering the present application. However, considering the caveator's interest in the subject matter and averments, notice is ordered as a matter of judicial prudence. Hence, this court proceeds to pass the following:

: ORDER:

Issue emergent notice on I.A.No.I to defendant along with suit summons to the defendant, if sufficient PF is paid.

R/by 25.02.2026.

**Civil Judge & JMFC,
Banahatti**