

ORDER

1. The suit is filed by a daughter of the propositus Sri Gudusab against the other members of the family seeking partition and separate possession of her legitimate share in the properties said to have been inherited by her along with the other sharers. The parties are governed by Mohamadan law. The plaintiff has also sought for temporary injunction against the defendants restraining them from alienating, or creating encumbrances over the property or disposing off the property till the disposal of the property. The application is filed under order XXXIX rules 1 and 2 of the Code Of Civil Procedure supported by affidavit. I have gone through the materials available at this juncture. If notice is ordered and in the meanwhile the properties are

disposed off the plaintiff would be left with no property and she would also be driven to multiplicity of proceedings. Therefore it is necessary to restrain the defendants from alienating, or creating further encumbrances over the property or disposing off the same till the rights of the parties are adjudicated. Accordingly I proceed to pass the following;

ORDER

The defendants are restrained by way of temporary injunction from either alienating, or creating further encumbrances over the properties or from disposing off the same till the next date of hearing.

The plaintiff shall comply with the provisions of order XXXIX rule 3 (a) of the code of civil procedure.

Office to grant certified copies on

compliance.

Office to issue emergent notices on the application and this order and suit summons to the defendants through rpad simultaneously on pf, RPAD charges and copies being furnished. Appearance of the defendants by 6.09.2021.

(Balachandra.N.Bhat)
Prl. Senior Civil Judge
& *JMFC Jamkhandi.*