

Heard plaintiff counsel on IA No.1 perused the plaint, IA No.1 and documents filed with the plaint. As per the office note no caveat is pending.

As per the Plaint pleadings the plaintiff is the absolute owner of the suit schedule property. She and her husband executed the agreement for sale without possession in favor of defendant No.1 on 13.02.2008. It is pleaded that said agreement is not performed and they have not executed the sale deed to the defendant No.1. But the defendant No.1 has got created the GPA in the name of defendant No.2. The Plaintiff coming to know about the GPA has issued the notice on 01.04.2006 and also issue paper publication in Hosa Diganatha stating that the alleged GPA is not executed by the plaintiff. Now the defendants are caused interference to the plaintiff's possession. The defendant No.1 has also purchased the Northern side of the property. Now the defendants are causing interference to the plaintiff possession. The suit schedule property is the Agricultural property. It is

not the case of the plaintiff that in the said property there are Agricultural Crops or any kind of Agricultural activity is carried out. Thus, it appears that suit schedule property is the vacant property without any Agricultural activity. Therefore, at this prima-facie stage no circumstance of causing loss to the property is made out. Hence, no grounds has been made out to dispense with the notice and issue Ex-parte order of Temporary Injunction. Hence, I proceed to pass the following ;

ORDER

Issue emergent notice of IA No.1 and Suit summons to defendants. If PF paid.

Call on 16.12.2020.

***Prl. Civil Judge & JMFC,
Anekal***