

**06-01-2021**

Pltf.                    -     A.M.K.

D1 to 12            -

■        For Orders

**06-01-2021**

Heard counsel for plaintiff on an I.A. No.1 which is filed under order 39 Rule 1 and 2 of C.P.C. seeking to restrain the defendants from alienating the suit properties to the 3<sup>rd</sup> parties during pendency of suit. According to him, he himself and defendants constitute Hindu undivided joint family and suit properties are the joint family properties of himself and defendants. He seeks to effect partition of schedule property which was turndown by the defendants. Therefore he approached this court. He shown apprehension of alienation of properties during pendency of suit by defendants. Hence he filed I.A. Under order 39 Rule 1 & 2 of C.P.C seeking to restrain the said defendants from alienating the properties.

Heard and perused the plaint averments annexed documents such as Genealogical Tree, Record of rights, Mutations and death certificate. Having noticed the said documents, I am of the view that the Plaintiff has made out ground to consider interim request. Hence in order to protect the interest of both the parties over subject matter of suit I proceed to pass the following :

**O.S.NO.26/2021**

**ORDER**

The defendants and their agents or anybody acting under them are hereby temporarily restrained from alienating the suit properties to the 3<sup>rd</sup> parties till next of date hearing.

The plaintiff shall comply order 39 Rule 3 A of C.P.C. Issue suit summons to defendants through R.P.A.D. and through court along with interim order passed on I.A. No.1.

**Call on : 15-03-2021.**

**Addl. Senior Civil Judge & J.M.F.C.,  
Devanahalli.**