

The plaintiff files the above suit seeking specific performance of contract in respect of site property against the L.R's. of original executant of the sale agreement. The plaintiff has also filed I.A. No. 1 U/o. 39 Rule 1 and 2 of C.P.C. restraining the defendants no.1 to 6 from alienating the plaint schedule site property.

The plaintiff has produced the documents in respect of plaint schedule property which is still standing in the katha of deceased executant of the sale agreement. The above fact strengthens the apprehension of the plaintiff that if the defendant No.1 to 6 got the change of katha and if they are not restrained by way of Injunction, they will alienate the property and then it is very difficult to the plaintiff to recover his earnest amount paid to the deceased executant of sale agreement and it is also difficult for the plaintiff to obtain the decree for specific performance if the 3rd parties are

intermeddled with the plaint schedule property.

Therefore, the I.A. No. 1 of the plaintiff is allowed. The defendants No.1 to 6 are restrained from alienating the plaint schedule property by way of ex-parte temporary injunction order till next date of hearing.

The plaintiff has to comply the provisions of order 39 Rule 3 of C.P.C.

Issue order of temporary injunction and suit summons and I.A. notice to the defendants No.1 to 6.

Returnable by: **30-03-2021.**

Prl. Senior Civil Judge & J.M.F.C.,
Devanahalli.