

After adjourning the matter and after uploading the Order of adjournment, counsel for the plaintiffs orally requested the Court to take up the matter today itself for first hearing as on the date of hearing date, naming ceremony of his colleague is fixed.

Considering the submission, matter is taken for hearing as the case file is still with the Bench Clerk.

Heard the arguments advanced by the counsel appeared for plaintiffs on IA No.I.

ORDER

The plaintiffs have filed the IA No.I under Order XXXIX, Rule 1 and 2 of Civil Procedure Code, 1908 praying for grant of ad-interim temporary injunction for restraining the defendants No.4 & 7 from creating third party rights and not to alienate the suit lands during pendency of the suit.

Perused the application, affidavit filed in support of application, plaint averments and documents placed on record.

On combined reading of the application, affidavit filed in support of application, plaint averments and documents placed on record, it appears to me that suit lands have been granted in the name of defendants No.4 & 7 and it appears that they have been granted fro and on behalf of plaintiffs and defendants. The revenue entries of the suit lands are standing in the name of defendants No.4 & 7. By looking to the fact and circumstances of the case, it appears to me that defendants No.4 & 7 may alienate the suit lands to third party by taking undue advantage of their names in the revenue records and in that event it multiplies the

proceedings and it will cause hardship and inconvenience to the plaintiffs. Hence at this state I am of the opinion that the apprehension of the plaintiffs is well founded and in order to avoid the multiplicity of the litigation, passing of ex-parte temporary injunction is the need of the situation. Hence I proceed to pass the following:

ORDER

The defendants No.4 & 7 are hereby restrained from alienating the suit lands and also from creating third party rights over the same by way of ad-interim temporary injunction.

This order will be in force till filing of objection to IA No.I by the defendants.

The plaintiffs are directed to comply mandatory provision of Order XXXIX, Rule 3 (a) and (b) of Civil Procedure Code, 1908.

Issue this ex-parte order of temporary injunction if mandatory provision is complied.

Issue suit summons and notice on IA No.I to defendants No.4 & 7 and only suit summons to other defendants.

Returnable by: 03-05-2025

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