

Perused check slip and order sheet. No caveat is filed.

Sd/-  
**III<sup>rd</sup> Addl Sr.Civil Judge & Jmfc,  
Devanahalli**  
**C/c. II<sup>nd</sup> Addl Sr.Civil Judge & Jmfc,  
Devanahalli.**

**ORDER ON I.A. No.1**

1. The plaintiff has filed I.A.No.1 U/o.XXXIX Rule 1 & 2 of CPC., with a prayer to restrain the defendants No.2, 4 to 7 or anybody claiming through them from alienating the suit schedule properties till the disposal of the suit.

2. Heard counsel appearing for the plaintiff. Perused the plaint averments, I.A No.1 and documents placed on record. The plaint reveals that, the plaintiff has filed the suit for the relief of partition & separate possession claiming 1/7<sup>th</sup> share in the suit schedule properties. It is averred in the plaint that, the plaintiff & the defendants No.1 to 6 are the members of Hindu undivided family and the defendant No.7 is alleged purchaser. It is further

averred in the plaint that, the deceased mother of plaintiff has inherited the suit schedule properties. After her demise, the defendants have declined the right of the plaintiff over the suit schedule properties and also trying to alienate the same. Hence the plaintiff is constrained to file this suit along with above application.

3. Upon going through contents of affidavit annexed to IA No.1 and other materials on record, it appears that, the plaintiff has made out a prima facie case at this juncture. Since the plaintiff has expressed her apprehension as to alienation of suit schedule properties by the defendants No.2, 4 to 7, this court is of opinion that, in order to keep intact the suit schedule properties and to protect right and interest of plaintiff, it is just and necessary to grant an ex-parte temporary injunction as prayed in the above application. Hence, the following order is passed;

**ORDER**

The defendants No.2, 4 to 7 or anybody claiming through them are hereby restrained from alienating the

suit schedule properties till the next date of hearing.

Office is hereby directed to issue certified copy of this order only after compliance made as required U/o. XXXIX Rule 3 of C.P.C.

Issue summons and notice of I.A I to the defendants.

R/by: 22.06.2023

Sd/-

**III<sup>rd</sup> Addl Sr.Civil Judge & Jmfc,  
Devanahalli  
C/c.II<sup>nd</sup> Addl Sr.Civil Judge & Jmfc,  
Devanahalli.**