

31-05-2022

Pltf. - G.S.H.

D1 to 3 -

■ For Orders

31-05-2022

Heard counsel for plaintiff on I.A.No.1 which is filed under order 39 Rule 1 and 2 of C.P.C. seeking to restrain the defendants and their agents and anybody acting under them from alienating the suit properties.

According to him, he himself and defendants constitute Hindu undivided joint family and suit properties are the joint family properties of himself and defendants. The request made by him to effect partition and separate possession of his share has been turn down by defendants. Hence he approached this court. He shown apprehension of alienation of property by the defendants.

Perused the plaint averments and annexed documents such as Genealogical Tree and Record of Rights and copy of Sale Deed and Gift Deed. The plaint averments and annexed documents indicate prima-facie case in favour of Plaintiff at this stage. Hence in order to protect the interest of both the parties over suit property, I proceed to pass the following :

O.S.NO.609/2022

ORDER

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

The Plaintiff shall pay sufficient process fee and registered postal cover and acknowledgment. If he failed to pay the proper process fee, the office is directed to post this case immediately before the court so as to pass appropriate order in vacating the interim order.

Call on : 23-08-2022.

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