

O.S. No.788/2022

07-07-2022

Heard on I.A.No. I. Perused the documents.

The plaintiff has filed the suit for recovery of Rs.18.78 lakhs from the defendants. It is the case of the plaintiff that, in spite of execution of registered mortgage deed by their late father, the defendants No.1 to 4 have sold the property along with other defendants in favor of defendants No.8 and 9. Now, the defendants No.8 and 9 are making arrangements to dispose off the property. In such an event, it will be difficult for the plaintiff to get the fruits of the decree. Hence, he prays for ex-parte temporary injunction order.

Therefore, by believing the contents of documents and affidavit of plaintiff as true, the Court pass the following:

ORDER

I.A.No. I is allowed.

The defendants No.8 and 9 are restrained from alienating the plaint schedule property by way of ex-parte temporary injunction order for a period of 45 days from today.

The plaintiff shall comply the Order 39 Rule 3 of C.P.C. provisions.

He shall issue summons to the defendants by furnishing plaint, I.A. copies and all the documents. Office to issue certified copy of this order only after compliance.

If the plaintiff did not comply the above order in letter and

spirit, the temporary injunction order shall not be continued on the next date of hearing.

Issue suit summons and I.A. notice along with injunction order against the defendants No.8 and 9 and suit summons and notice to other defendants.

Returnable by: 26-08-2022.

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