

O.S. No.968/2022

19-08-2022

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

The plaintiffs have filed the above suit for partition and separate possession in respect of Sy. No. 259 measuring 2A of Bettahalasuru Village and for declaration to declare the 11 registered sale deeds dated 07-11-2006 executed by defendants No.1 to 3 in favor of defendant No.4 to 14 as not binding on them.

It is the case of the plaintiffs that, during the minority of the plaintiffs, the defendants No.1 to 3 have alienated the property and within 3 years after attaining majority the plaintiffs are filing this suit. The plaintiffs pray for ex-parte temporary injunction order to

restrain the defendants No.4 to 14 from alienating the property by way of ex-parte temporary injunction order.

The sale deeds are executed in the year 2006 but, the plaintiffs are claiming that, during their minority the alienation was made and therefore, they have filed the suit within 3 years from attaining the age of majority.

Therefore, by believing the contents of affidavit of the plaintiff No.1 as true, the Court pass the following:

ORDER

I.A.No. I is allowed.

The defendants No.4 to 14 are restrained from alienating the plaint schedule property by way of ex-parte temporary injunction order for a period of one month from today.

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

Office to issue certified copy of this Order only after plaintiffs shows compliance report by sending plaint, I.A. and documents copies by R.P.A.D.

They shall issue summons to the defendants by furnishing plaint, I.A. copies and all the documents.

If the plaintiffs 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 to defendant No.1 to 3 and along with injunction order against the defendants No.4 to 14.

Returnable by: 20-09-2022.

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