

O.S.NO.1083/2023

13-10-2023

The plaintiff has filed the present for the relief of Partition and Separate Possession.

Along with the plaint, the plaintiff has submitted I.A.No.1 under Order 39 Rule 1 & 2 R/w Sec.151 of C.P.C. seeking to restrain the defendant No.1 from alienating the suit schedule Item No.1 to 3 properties till disposal of suit.

Heard.

On going through the plaint and the documents on record, there is reasonable apprehension of suit schedule properties being sold in favour of 3rd person. If the temporary injunction is not granted at this stage, there is possibility of rights of plaintiff being curtailed. In order to avoid multiplicity of proceedings it is necessary to pass restraining order in respect of I.A. No.1. In view of this I proceed to pass the following :

ORDER

The defendant No.1 is restrained by way of ex-parte ad-interim temporary injunction from alienating the suit Item No.1 to 3 properties to the 3rd parties till next date of hearing.

The plaintiff shall comply order 39 Rule 3 A of C.P.C. in respect of I.A. No.1.

Issue suit summons to defendants through R.P.A.D. and through Court along with interim order passed on I.A. No.1 against defendant No.1.

R/by : 28-11-2023.

Sd/-

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