

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

ORDER ON I.A.I

1. The authorized person of the plaintiff company has filed I.A.No.I U/o XXXIX rule 1 and 2 of CPC, praying to pass an order of temporary injunction restraining the defendants, their agents, representatives or anybody claiming through them with the plaintiff peaceful possession of the suit schedule properties, till the disposal of this suit.

2. The sum substance of affidavit which annexed to the above application is that, plaintiff company is owner and peaceful possession of suit schedule properties by virtue of sale deed dated: 20-04-2005. The defendants have no rights or possession in the suit schedule properties but they are interfering peaceful possession of plaintiff with respect suit schedule properties. Hence he has filed this suit for relief of permanent injunction and also filed I.A No.1 along with plaint.

3. Heard counsel and perused all the materials placed on record and order sheets.

4. On perusal of plaint averments, contents of the affidavit, documents and other materials placed on record, it appears that, the plaintiff filed the suit for the relief of permanent injunction with respect to suit schedule property. The plaintiffs have expressed their apprehension that the defendants are trying to interfering peaceful possession them with respect to the suit schedule properties. If, the defendants not restrained by way of temporary injunction, they will be put to great loss.

5. Having regard to the facts and circumstances, this court opines that, the plaintiffs have made out prima-facie case at this juncture. Under these circumstances, if notice of I.A.I is issued before granting an ex-parte injunction, the plaintiffs may be put to hardship. Hence, the following order is passed;

ORDER

The defendants, their agents, representative or any persons claiming through them are hereby restrained by an order of ex-parte temporary injunction from interfering with the plaintiff peaceful possession and enjoyment of the suit schedule properties, till the next date of hearing.

The office is hereby directed to issue certified copy of this order only after compliance of order XXXIX rule 3 of CPC.

Issue summons and notice of I.A I to defendant.

R/by:

**C/c Addl Civil Judge & JMFC,
Devanahalli.**