

The application u/O III Rule 2 R/w 151 of C.P.C. is filed to permit Sri. M.R. Rajath, to act as Power of Attorney for the plaintiff. Perused the application. Heard. Satisfied.

Sri. M.R. Rajath is hereby allowed to act as Power of Attorney for the plaintiff. Further it is made clear that, the personal knowledge of Power of Attorney holding with regard to the facts of suit will be decided at the finality of the suit.

Perused the plaint, I.A.No.I filed under Order XXXIX Rule 1 to 3 of C.P.C., the connected affidavit sworn by the plaintiff and the documents appended to the list.

The suit is for the relief of Specific Performance and such other reliefs.

The plaintiff has filed I.A.No.II U/O.39 rule 1 & 2 of C.P.C. seeking for temporary injunction order restraining the defendant, his agents, henchmen, servants, labourers and any persons claiming through them from interfering with the peaceful possession of the plaintiff in respect of the suit schedule 'C' property in any manner, pending disposal of the suit.

The plaintiff has filed I.A.No.III U/O.39 rule 1 & 2 of C.P.C. seeking for temporary injunction order restraining the defendant, his agents, henchmen, servants, laoburers and any persons claiming through the defendant from alienating or selling or creating any third party encumbrance or charge and interest in respect of the suit schedule 'C' property enjoyed by the

plaintiff in any manner, pending disposal of the suit.

At this juncture court finds that the prima-facie case is made out and that the balance of convenience is in favour of the plaintiff. If exparte order of temporary injunction is not granted, irreparable injury will cause to the plaintiff. Issuance of notice at first instance to the defendants will defeat the very purpose of granting temporary injunction. Hence, I pass the following:

ORDER

Defendant, his agents, henchmen, servants, labourers and any persons claiming under them are hereby restrained from interfering with the peaceful possession of the plaintiff in respect of the suit schedule 'C' property in any manner till next date of hearing.

Further, defendant, his agents, henchmen, servants, labourers and any persons claiming under them are hereby restrained from alienating the suit schedule 'C' property in any manner till next date of hearing.

The plaintiff shall comply with order 39 Rule 3(a) of C.P.C.

In view of arrival of Vacation, matter is adjourned to a long date.

Issue notice on I.A.No.II and I.A.No.III and suit summons to the defendant.

R/by:23.05.2023.

-Sd-

Prl. Civil Judge & JMFC.,
Doddaballapura