

15.06.2026
Pltf.: By Sri SM Adv.,
Orders on IA No.I

ORDER ON IA NO. I

This is a suit for Permanent Injunction.

I.A. I U/o 39 Rule 1 & 2 of CPC for grant of ad-interim injunction order restraining the defendants, their agents, servants, family members, subordinates or anybody claiming on their behalf from interfering in the property bearing site No.49 carved out of converted land in Sy. No.13/P9 measuring East to West 40 feet and North to south 30 feet totally 1200 square feet converted by the Deputy commissioner, Rural District, Bengaluru vide his Order No.ALN(H)SR/16/1999-2000, dated 31.05.1999,

situated at Layout known as Gomatha , Phase-4, Kodihalli Village, Jadigenahalli Hobli, Hosakote Taluk, Bengaluru Rural District and bounded by East by: Road; West by: Site No.72, North by:Remaining portion of Sy.No. Sites and South by: Site No.50 (Hereinafter referred to as 'Plaint Schedule Property', for brevity) till disposal of the suit.

Perused IA No.I affidavit and documents such as copy of registered sale deed dated 20.06.2018; copy of Encumbrance certificate; copy of Layout plan; copy of Aadhaar Card; photographs and CD. It appears that, the plaintiff is the owner of the plaint schedule property having acquired under the registered sale deed dated 20.06.2018 and since then, he has been in possession and enjoyment of the same. A perusal of Encumbrance Certificate for the period 01.04.2017 to 24.04.2026 shows execution of sale deed in favour of the plaintiff. It is the specific contention of the plaintiff that the defendants without having any right, title or interest are trying to interfere with the peaceful possession and enjoyment of the plaint schedule property. In view of above claim, I am of the opinion that, the

plaintiff got triable case at this stage. If an injunction is not granted before issuing notice, the defendants may interfere with the peaceful possession and enjoyment of the plaintiff over the plaint schedule property. In such circumstances, the plaintiff will be put to irreparable loss and hardship and object of granting ad-interim temporary injunction will be defeated by delay and to avoid further complication and multiplicity of proceedings, notice is dispensed for the time being and I proceed to pass the following:

ORDER

Consequently, ex-parte ad-interim temporary injunction is granted against the defendants, their agents, servants, family members, subordinates or anybody claiming through them from interfering with the peaceful possession and enjoyment of the plaintiff over the plaint schedule property till next date of hearing.

Issue ad-interim ex-parte temporary injunction order to the defendants after complying the provision of Order 39 Rule-3 of C.P.C.

Issue suit summons to the defendants and emergent notice on IA No.I to the defendants.

OS.196/2026

Returnable by:

**Prl. Civil Judge & JMFC.,
Hosakote.**