

Plaintiff has filed the suit for Permanent Injunction. The plaintiff has filed I.A.No.I for restraining the defendant from interfering with the suit schedule property. In support of application, the plaintiff has filed sworn affidavit and produced some documents with plaint.

On perusal of records viz., certified copy of partition deed, tax paid receipt, e-khatha and photographs etc. At this stage, without expressing any opinion on the merits of the case, the court is of the opinion that, the plaintiff has made out prima facie case for grant of ex-parte injunction against the defendant and the circumstances of the case show that, if notice is issued, the delay which occurs in serving the notice upon the defendant, would defeat the very purpose of the suit and leads to multiplicity of proceedings, at this stage, court is of the opinion that it is a fit case to restrain the defendant from interfering with the suit schedule property, till next date of hearing. Hence, court proceeds to pass the following:

ORDER

The defendant, his agents, servants or anybody acting on and under on his behalf are hereby restrained from interfering with the suit schedule property, till next date of hearing.

It is hereby made clear that this order is binding on only property situated within the boundaries and extent shown in the plaint.

Plaintiff is hereby directed to comply with the provision of O.39 Rule-3A of the C.P.C.

Office is hereby directed to issue temporary injunction order after plaintiff complies with the provision O.39 Rule-3A of the C.P.C. and issue notice on I.A.No.I and suit summons to defendants.

Returnable by 05.07.2023.

II Addl. Civil Judge & JMFC., Hosakote.