

OS No.361/2022 Dt: 10.11.2022

Called out again.

Plaintiff's company has filed the suit for Permanent Injunction. The plaintiff has filed I.A.No.I to III. IA No.I has filed for restraining the defendant from staging dharana (Strike), IA No.II has filed for restraining the defendant from shouting slogans or picketings within radius of 300mtrs of the suit schedule property, IA No.III has filed for restraining the defendant from preventing employees, staffs, visitors, vehicles and customers from entering or exiting the schedule property. In support of applications, the proprietor of the plaintiff's company filed sworn affidavit and produced some documents with plaint.

On perusal of records viz., Agreement dated 01.04.2022, appointment letters, transfer orders, letter to the defendant union, letter by the employee, reply letter, police complaint, security incident reports 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 defendants, would defeat the very purpose of the suit and leads to multiplicity of proceedings, at this stage, hence the ex-parte injunction can be granted. Hence, at this stage court is of the opinion that it is a fit case to restrain the Defendant from conducting dharana and shouting slogans, picketings within radius of 300mtrs of the suit schedule property and from preventing the defendants from causing obstructions to the visitors, employees, customers, vehicles into the suit schedule property, till next date of hearing. Hence, court proceeds to pass the following:

ORDER

The defendant and its agents, servants or anybody acting on and under their behalf are hereby restrained from conducting dharana and shouting slogans, picketings within radius of 300mtrs of the suit schedule property and from preventing the defendants from causing obstructions to the visitors, employees, customers, vehicles into the suit schedule property, till the next date of hearing.

It is hereby made clear that this order is binding with respect to the warehouse premises situated in Sy.No.125, 126/1, 126/2 of Nidagatta village as shown in the plaint schedule.

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 to III to defendant.

Returnable by 02.12.2022.

II Addl. Civil Judge & JMFC., Hosakote.