

COMMON ORDER ON

IA No. I to III

The plaintiff has filed the present suit against the defendants for Permanent injunction.

I.A. I U/o 39 Rule 1 & 2 R/w Sec.151 of CPC for grant of ad-interim injunction order against defendants from interfering with possession of the plaint schedule property till disposal of the suit.

I.A. II U/o 39 Rule 1 & 2 R/w Sec.151 of CPC for grant of ad-interim injunction order against defendant No.17 from alienating the plaint schedule property till disposal of the suit.

I.A. II U/o 39 Rule 1 & 2 R/w Sec.151 of CPC for grant of ad-interim injunction order against defendant No.17 from putting up any construction in the plaint schedule property till disposal of the suit.

Perused the I.As. affidavit, documents such as copy of sale deed dated 05.05.2017, copy of sale deed dated 03.10.2023 and photographs. It appears that, the khata of the plaint schedule

property not transferred in the name of the plaintiff. In the case on hand, the plaintiff has not produced any GPA alleged to be executed infavor of the vendor of the plaintiff i.e., defendant No.16. Further, there is no proper pleadings and prima facie materials to show that the plaint schedule plot was carved out in Sy. No.202 new Sy. No.202/2 of Kodihalli Village. Thereby, before passing an order of exparte ad-interim temporary injunction, it is just and necessary to hear other side. Hence, issue emergent notice on I.A. No.I to III and suit summons to the defendants.

Call on:

Prl.CJ and JMFC Hosakote.