

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 men, children, relatives, legal representatives, agents, officials, staff, servants, workers, GPA Holders or anybody acting under them from interfering with the plaintiff's possession and enjoyment of the plot/site bearing No.172 carved out in Sy. No.240 (Sy. No.240P) (Old Sy. No.14/2) property No.931 measuring 10,000/- square feet in CORAL COUNTY situated at Jadigenahalli Village and Hobli, Hoskote Taluk, Bengaluru Rural District bounded by East: Boundary; West: Road; North: Plot No.187 and South: Plot No.157 (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 Sale deed dated 28.06.2001; Copy of Property Tax Demand Register for the period 1995-96; Copy of sale deed dated 01.06.1958; Copy of sale deed dated 19.04.1996; Copy of MR Extracts; Copy of RTC Extracts and Copy of order of land conversion. It

appears that, the plaintiff has purchased the plaint schedule property under the registered sale deed dated 28.06.2001 and since, then he is in possession and enjoyment of the same. It is the specific contention of the plaintiff that the defendants without having any right, title or interest trying to interfere into the possession of the plaintiff over the plaint schedule property. In view of above claim, I am of the opinion that, the plaintiff has got triable case at this stage. If an injunction is not granted before issuing notice, the defendants may interfere into the possession 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 men, children, relatives, legal representatives, agents, officials, staff, servants, workers, GPA Holders or anybody acting under them from interfering with the plaintiff's

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possession and enjoyment of 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.1 to the defendants.

Returnable by:

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