

ORDER ON IA NO. I & II

This is a suit for permanent Injunction.

IA. I filed U/o 39 Rule 1 & 2 of CPC for grant of ad-interim injunction order restraining the defendants, their agents, representatives or any other persons acting under them or on their behalf from interfering with the plaintiff peaceful possession and enjoyment of the property bearing site No.16 carved out in Sy. No.48 measuring 1200 square fee situated at Appasandra Village, Jadigenhahalli Hobli, Hosakote Taluk, Bengaluru Rural District bounded by East: Road; West: Site No.41; North: Road and South: Site No.17(Hereinafter referred to as '**Plaint Schedule Property**', for brevity) till disposal of the suit.

IA. II filed U/o 39 Rule 1 & 2 of CPC for grant of ad-interim injunction order restraining the defendants, their agents, representatives or any other persons acting under them or on their behalf from changing the nature of the plaint schedule property till disposal of the suit.

Perused IA No.I and II affidavit and documents such as copy of RTC's; copy of Memorandum passed by Task force committee in the year 1992; copy of layout map; copy of Hakku Pathra dated 05.03.1992; copy of khatha dated 22.09.2020; copy of Tax paid receipt; copy of encumbrance certificate from 01.04.2004 to 18.08.2025 and copy of photographs. It appears that, the plaintiff has acquired the plaint schedule property Hakku Patra and since then, he is in possession and enjoyment of the same. It is the specific contention of the plaintiff's that the defendants without having any right, title or interest is trying interfere and changing the nature of the plaint schedule property. In view of above claim, I am of the opinion that, the plaintiff's has got triable case at this stage. If an injunction is not granted before issuing notice, the defendants may change the nature of 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 from changing the nature 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.I and II to the defendants.

Returnable by: 11.09.2025

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