

**ORDER ON IA-I**

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

IA No.I filed under Order XXXIX Rule 1 and 2 read with Sec.151 of CPC restraining the defendants and their agents, henchmen, legal representatives claiming under them from alienating or creating charge over the plaint schedule property till disposal of the suit.

Heard,

Perused the plaint averments, affidavit annexed to IA No.I and documents such as certified copy of Judgment and decree in OS. No.6215/2005. It is specifically contended that the plaintiff is having 2/13 share in the plaint schedule property. The defendant with malafide intention in order to cause loss and to knock away the schedule property are attempting to sell the suit schedule property suppressing the share of the plaintiff. A perusal of certified copy of Judgment and decree in OS. No.6215/2005 shows that the plaintiff is having 2/13 share in

the plaint schedule property. The plaintiff expressed the apprehension of alienation of the plaint schedule property by the defendants. In view of above, 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 alienate or create charge 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 preserve the plaint schedule property intact 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 restraining from alienating or creating charge over the plaint schedule property till next date of hearing.

Issue ad-interim ex-parte temporary injunction order to the defendants after

OS 454-2024

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:

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