

ORDERS ON IA NO.1

This suit is filed by the plaintiff against the defendants for partition and separate possession in respect of suit properties. The plaintiff filed I.A.No.I Under Order 39 Rule 1 and 2 of CPC seeking an order of temporary injunction against the defendants. In support of their case they have produced the copy of genealogical tree and RTC extracts. A perusal of above records it shows the suit properties are belongs to joint family. The plaintiffs are apprehended that the defendants are trying to alienate the suit properties. If the defendants are allowed to alienate the same the very purpose of filing the suit will be defeated. Therefore, at this stage the plaintiffs have made out a prima faice case to grant an order of injunction restraining the defendants from alienating the suit properties as prayed in IA No.I.

Hence, in order to avoid multiplicity of proceedings and also to safe guard the interest of plaintiffs, it is just and necessary to pass ex-parte temporary injunction against the defendants as sought in the I.A No.I. Hence, I proceed to pass the following:

ORDER

The defendants are hereby restrained from alienating or encumbering the suit schedule properties in any manner till next date of hearing as prayed in IA No.I.

The plaintiffs are hereby directed to comply as per the order 39 rule 3A of CPC.

Issue suit summons and notice on ex-parte temporary injunction order on IA. No.I to the defendants.

Returnable by: 20-6-2023.

Senior Civil Judge & JMFC,
Hosakote.