

Order on I.A. No.1

This is a suit filed by the plaintiff for an order of partition with respect to the suit schedule property.

2. The counsel for plaintiff filed I.A. No.1 under Order 39 Rule 1 and 2 of C.P.C.

praying to grant of ad-interim ex-parte order of temporary injunction against the defendant Nos.3 and 4 since the Katha of the Item Nos.1 and 2 are standing in the name of deceased father, restraining from alienating, disposing or creating charge over the plaint schedule property in favour of anybody pending disposal of the suit by allowig the application in the interest of justice and equity.

3. Perused the application along with affidavit, documents and heard arguments of the plaintiff's side.

4. On perusal of the record it could to be seen that the plaintiff claiming Partition over the schedule property and also prayed for ad-interim order of temporary injunction for restraining the defendant No.4 and 5 from alienating the suit schedule property till disposal of the suit. Hence, this Court feels that before granting temporary injunction it is just and necessary to hear from the defendants. Therefore, this Court proceed to pass the following order.

ORDER

Issue emergent notice on I.A.
No.1 and suit summons to
defendants, if sufficient process fee
paid.

Returnable by : 12.3.2024

Sd/-
1st Addl. Civil Judge & JMFC,
Kadur.