

Heard arguments of learned counsel for the Plaintiff. For orders call later,

**ORDER ON I.A.No.1**

Learned counsel for the plaintiff argued on I.A.No.1 U/O XXXIX Rule 1 and 2 R/W Section 151 of CPC., seeking an ad-interim ex-parte temporary injunction order against the defendant.

The suit of the plaintiff is for the relief of Permanent Injunction. The plaintiff has prayed for ad-interim exparte temporary injunction restraining the defendant from encroaching towards eastern side of the suit schedule property of the plaintiff.

Perused the documents placed by the plaintiff in record. The plaintiff produced the original gift deed, E-property extract, Encumbrance certificate. In order to safe guard the interest of the parties and also to meet the emergent relief sought by the plaintiff and also if the ad-interim T.I not granted purpose of suit will be defeated. Hence, it is necessary to pass an ex-parte ad-interm temporary injunction order. Hence, I pass the following:

**ORDER**

Defendant, his men, supporters, servants, agents or anybody claiming through him hereby restrained from encroaching the suit schedule property of the plaintiff towards eastern side till next date of hearing.

Plaintiff is directed to comply Order 39 Rule 3 of C.P.C by sending

- (i) a copy of the affidavit filed in support of the application;
- (ii) a copy of the plaint; and
- (iii) copies of documents on which the plaintiff relies
- (iv) file an affidavit sworn by the plaintiff only, to court, stating that the copies aforesaid have been so delivered or sent on the day on which injunction is granted or on the day immediately following, that day.

(Note: Plaintiff shall send entire records, including list of documents and also the entire documents. If the plaintiff fails to send the copy of the entire records along with entire documents, then automatically the Interim Order stands vacated)

Office is directed to issue suit summons, and the order of ex-parte temporary injunction on I.A.No.I only after the compliance to the Defendant.

Returnable by: 10.06.2025.

Sd/-

III Addl. Civil Judge & J.M.F.C.,  
Kadur.