

Order on I.A. No.1

This is a suit filed by the plaintiff for an order of Permanent injunction 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 temporary injunction order against the defendants, restraining them from trespassing in to the suit schedule property and removing the barred wire fence and stone pilers and to form the road over the suit schedule property, either by themselves, their agents, servants or anybody on their behalf, pending disposal of the suit on merits, in the interest of justice and equity. till disposal of the suit.

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 permanent injunction over the schedule property and also prayed for ad-interim order of temporary injunction restraining the defendant from trespassing and removing the stone pilers over the suit schedule property. On perusal of the record it could be seen that, the defendants have already filed a suit against this plaintiff. Hence, this Court feels that before granting temporary injunction it is just and necessary to hear from the defendant. 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 : 26.07.2024

Sd/-

1st Addl. Civil Judge & JMFC,
Kadur.