

ORDERS ON AD-INTERIM PRAYER

In the above suit which is filed for declaration to declare that the Dissolution of Partnership Deed dated 04.02.2023 is not binding on the plaintiffs and other co-owners of Mavinakere Estate and for consequential injunction with respect to the suit properties which are the estate of Mavinakere Estate. The plaintiffs by asserting that they are the co-owners in management of Mavinakere Estate, have alleged that the defendant No.2 to 4 have got created the document styled as Dissolution of Partnership Firm of the year 1963, with oblique motive to have wrongful loss to the co-owners of the Estate. The defendants have also created fraudulent GST number in connection to the Estate. Though there are several suits pending, the defendant No.2 to 4 having got no manner of respect towards laws of this country are indulging in activities which are detrimental to the smooth function of the Estate. The plaintiffs have also sought for ex-parte temporary injunction against the defendant No.2 to 4 not to cause obstruction to the peaceful possession and management of Mavinakere Estate.

2. Having heard the learned counsel for plaintiffs on ad-interim prayer, this Court has gone through and carefully perused the materials supplied by the plaintiffs.

3. On perusal of various judicial orders in respect to the Mavinakere Estate which has got the suit properties as its estate, it could at this stage be seen that there are no two Estate of the same name having got the suit proprieties and the one which is in existence is in the management of plaintiffs. Documents available on record would further show that the defendant No.2 to 4 have established the defendant No.1 Estate and in that guise claiming the suit properties. There is a temporary injunction operating against the defendant No.2 with respect to the Estate in management of plaintiffs and it could further be seen that despite the same, the defendant No.2 has proceed further to lodge police complaints claiming under the very Estate in management of the plaintiffs. Circumstances being thus, if the ad-interim injunction as sought for, is not granted, then not only the plaintiffs but the M/s Mavinakere Estate which has got the suit properties as its estate, will be put to injury. Hence, the following:

ORDER

Issue ad-interim order of temporary injunction as sought for in IA. No.I, till next date of hearing.

Plaintiffs shall comply the mandates of order 39 Rule 3 of CPC.

Issue suit summons and
emergent notice on I.A. No.I to the
defendants. R/by:03.04.2025.

Sd/-

(Vishwanath.A)
C/c Addl. Civil Judge & JMFC
Mudigere.