

ORDERS ON AD-INTERIM PRAYER

The plaintiff Dhaneswari Investments Private Limited & Devkosh Leasing And Finance Private Limited, which is said to have been amalgamated with Gomteshwar Real Estate Private Limited has filed the above suit seeking for a decree of bare injunction restraining the defendants from trespassing into or disturbing its peaceful possession, occupation and enjoyment of the suit schedule properties i.e., the lands to an extent of 11.32 acres in Sy.No.66/1, 67.08 acres in Sy.No.67/6 and 13.27 acres in Sy.No.90 of Durgadahalli Village, Balur Hobli.

2. The plaintiff's case is that the suit properties are acquired by Dhaneswari Investments Private Limited under registered sale deed dated 31.01.1991 and the khatha of said properties is still in the name of said firm which is now amalgamated with Gomteshwar Real Estate Private Limited. The said Gomteshwar Real Estate Private Limited is now in possession of the suit properties. But on 24.09.2025, the defendant No.1, 2, 5 and 6 had tried to interfere with the said properties in connection to which complaint was lodged on 25.09.2025 with the Balur police. Again on 17.02.2025 and on 14.12.2025, the defendants have tried to interfere with the plaintiff's possession over the suit property. On the above

averments, the plaintiff having maintained the suit, has also sought for ad-interim temporary injunction.

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

4. The plaintiff has produced the copy of order in Company Petition CAA-132/ND/2017, copy of MR.No.1/1991-92, certified copies of atlas and the RTC's pertaining to the suit properties. The contents of these documents would prima-facie support the contention of the plaintiff regarding amalgamation and its possession over the suit properties. It is the specific assertion of plaintiff that the defendants who have no right, title or interest over the suit properties, are trying to interfere with the suit properties. Plaintiff has also produced copy of first information statement lodge at Balur police station with the similar allegations. On considering all the above aspects and also the apprehension of the plaintiff, this Court at this stage is of view that if the ex-parte temporary injunction as sought for is not granted, then the plaintiff will be put at injury which cannot be compensated in terms of money. Hence, the following:

ORDER

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

Plaintiff 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:23.01.2026.

Sd/-

(Vishwanath.A)

Prl. Civil Judge & JMFC
Mudigere.