

Heard Sri. D.S., Advocate for plaintiff

The plaintiff has filed suit against the defendants for the relief of declaration that the registered sale deed bearing document No. 325/1995-96 dated 23/06/1995 is the product of fraud and forgery and null and void and not binding on plaintiff. Plaintiff also prayed to declare that the GPA dated 13/06/1995 executed by plaintiff No.1 and 2 along with their deceased mother Smt. Shivammo is product of fraud and hence the same is not binding on plaintiff and for permanent injunction restraining the defendant No.1 or any other persons claiming under him from trespassing or interfering or cause damage to the suit schedule property.

Plaintiff has filed I.A. No.II under Order 39 Rule 1 and 2 of CPC praying to grant ad-interim temporary injunction restraining the defendant No.1 his men, servant agents or any other persons claiming through him not to trespass, interfere and do any illegal acts in the schedule property.

I have perused the plaint and I.A. No.II and its accompanying affidavit sworn by the plaintiff and the documents filed along with the list. Since the property involved in the present suit is an agricultural property. Hence without hearing other side an exparte T.I. order cannot be granted. I do not found any ground to grant ad-interim order of exparte T.I. against the defendants. Hence, the following:

O R D E R

Office to issue emergent notice on I.A. No.II and suit summons, to the defendants returnable by 06-01-2024.

Senior Civil Judge & JMFC,
Mudigere.