

Heard Sri.KCC., Advocate on I.A No.I. On perusal the plaintiff brought suit against the defendants seeking for the relief of Permanent Injunction with respect to suit property. Further on perusal the plaintiff also brought application IA No.I U/o.39 Rule 1 and 2 with a prayer to restrain the defendants from constructing the compound wall by the plaintiff in the suit property as per the license issued by the authority and thereby interfering with the plaintiff peaceful possession of the plaintiff and enjoyment over the suit schedule property in any manner till disposal of suit.

On perusal, at this stage the plaintiff has made out prima facie case and balance of convenience lies in favour of plaintiff to pass an interim order and if no such order is passed, it will defeat the very purpose of filing of the suit. Hence, this court proceed to pass the following:

ORDER

The application I.A.No.I filed Under Order 39 Rule 1 and 2 CPC is hereby partly allowed.

Accordingly, the defendants are hereby restrained constructing the compound wall by the plaintiff in the suit property as per the license issued by the authority and thereby interfering with the plaintiff peaceful possession of the plaintiff and enjoyment over the suit schedule property in any manner whatsoever till filing of W/s by the defendants.

Issue ex-parte T.I order on I.A.No.I to the defendants. Plaintiff is hereby directed to comply the T.I.Order.

OS 23/2025

Issue suit summons and notice
on IA No.I to the defendants
Call on :03-05-2025.

Sd/-
C.J and J.M.F.C.,Sringeri