

**IN THE COURT OF THE SENIOR CIVIL JUDGE AND
PRINCIPAL J.M.F.C., TARIKERE**

PRESENT : SRI VAIDYA SHREEKANT, *B.Sc, LL.B.*
*Senior Civil Judge & Prl. J.M.F.C.,
Tarikere. .*

(Name of the Presiding Judge)

DATED : THE 18th DAY OF JUNE 2025

OS No.149/2025

ORDER ON IA NO.II

Heard the counsel for plaintiff on IA No.II filed Under Order XXXIX Rule 1 and 2 of CPC.

The plaintiff has filed the instant suit for the relief of specific performance of contract based on agreement dated 17.06.2023.

The case of the plaintiff is that the defendant No.1 and 2 have executed agreement for sale of suit schedule property on 17.06.2023 agreeing to sell the same for consideration of Rs.13 lakhs. The grievance of the plaintiff is that after execution of said agreement, the defendants No.1 and 2 in order to defeat his agreement are making efforts to alienate the same to others. If it happens, he would put to great loss and hardship which

cannot be compensated in terms of money. Furthermore, the very purpose of filing the suit would be defeated. It may also lead to multiplicity of proceedings. I have gone through the pleadings and documents produced by the plaintiff. There appears some prima-facie case for trial. The suit schedule property is standing in the name of defendant No.1 as could be seen from RTC for the year 2024-25. In the facts and circumstances of the case, I proceed to pass the following:

ORDER

In dispensation of the notice issue ad-interim ex-parte temporary injunction order against the defendant No.1 restraining him from alienating or creating any charge over the suit schedule property till next date of hearing, if the plaintiff complies.

Issue suit summons to the defendants.

Call on:31.07.2025.

Sd/-

**SENIOR CIVIL JUDGE & PRL. JMFC.,
TARIKERE.**