

**IN THE COURT OF THE ADDL. SENIOR CIVIL JUDGE AND  
JMFC., AT CHAMARAJANAGAR.**

**O.S. NO. 258/2023**

**ORDER**

Heard the arguments of learned counsel for plaintiff on I.A.No. 1 and perused the materials available on record. The application is supported by sworn affidavit of the plaintiff.

2. The plaintiff has filed this suit against the defendants seeking the relief of Specific performance and also maintained IA.No.1 by stating that, the defendant trying to disposing the suit schedule property to third party by suppressing the agreement.

3. In support of his contention the plaintiff has produced registered sale agreement, RTC extract, Notice and reply notice. Which clearly goes to show that the defendant executed the sale agreement infavour of the Plaintiff in respect of suit schedule property by receiving part sale consideration of Rs.18,00,000/-. The Plaintiff filed the suit by paying court of fee of Rs.1,09,625/-. Hence, it is clear that, at this stage, the plaintiff has made out prima-facie case and balance of convenience. If ex-parte temporary injunction order is not granted, there are chances of alienation of suit property and very purpose of filing the suit for Specific performance will be defeated. Hence, this court is the opinion that, it just and proper to grant ex-parte temporary injunction order till next date of hearing. Hence, I proceed to pass the following:

**O.S. NO. 258/2023**

**ORDER**

Pending the hearing and final disposal of I.A.No.I, ex-parte temporary injunction order as prayed in the application is granted till next date of hearing.

The plaintiff shall comply the order under Order 39 Rule 3 of CPC.

Issue exparte temporary injunction order, notice of I.A.No.I and suit summons to the defendant by registered post and Court process.

Call on 28.11.2023

Sd/-  
Addl., Senior Civil Judge & JMFC.,  
Chamarajanagara.