

Heard the learned counsel for plaintiff on I.A.No.1, ex parte.

Perused the plaint averments, other documents annexed to the plaint.

Plaintiff has filed present suit against defendants for the relief of partition and separate possession of their 1/2 share in suit schedule property.

It is specific case of plaintiff that, suit properties are the joint family properties of plaintiff and defendants No.1. She is in joint possession and wahiwat of the suit properties since there is no partition took place between them.

It is further specific case of plaintiff that, the defendant No.1 taking undue advantage of entry of their names in revenue records pertaining to suit properties, in order to defraud legitimate share of plaintiff are trying to alienate the suit properties and create encumbrance over suit properties. Hence it is requested to grant ex parte temporary injunction.

Taking into consideration of material placed before the Court, at this stage plaintiff has made out prima facie case. Further exparte injunction as prayed for is not granted, very purpose of filing suit will be frustrated and non granting of such relief would lead unnecessary further complications.

Hence prior issuance of notice on I.A.No.1 to the defendants are hereby dispensed with.

Hence, I proceed to pass the following

ORDER

Exparte temporary injunction granted, restraining the defendants, their men, agents, or any body claiming through them from alienating the suit properties and create encumbrance over the suit properties.

This order will be in force, till appearance of defendants and filing objections.

Office to issue order of exparte T.I against defendants, if provisions as provided under order 39 Rule 3 (A) of CPC are complied with.

Issue suit summons and emergent notice on I.A.No.1 to the defendants, if necessary process if paid.

Call on :19/12/2023.

Sd/-
Senior Civil Judge
Harihara.