

Heard arguments of I.A. I.  
For orders kept by.

**ORDERS ON I.A.I.**

Heard on IA No.I. Perused the plaint. Annexure affidavit and documents filed there in.

The present suit filed by the plaintiff against the defendants for relief of Permanent injunction with respect to suit schedule property. Along with the suit plaintiff has also filed IA No.I U/O XXXIX Rule 1 and 2 of C.P.C., for the relief of temporary injunction restraining the defendants from interfering with peaceful possession and enjoyment over suit schedule property by way of ad-interim TI.

In support of IA No.I, the plaintiff has filed affidavit and documents pertaining to suit property. In affidavit the plaintiff has contended that, he is the absolute owner of the suit schedule property. The defendants have encroached the position of 37 guntas on the suit schedule property. He came to know the encroachment at the time of conducting Haddu Bastu survey dated 08.12.2025.

Plaintiff has produced original sale deed dated 13.12.2023, RTC's, Haddu Bastu survey sketch, Photographs, EC.

At this stage as it appears that the plaintiff filed suit for bear injunction only but as per plaint

avermment and affidavits accompany I.A. No.I it appears that as of filling the suit the defendants have already encroach position of 37 guntas in suit schedule property but the plaintiff has filed the application to grant temporary injunction restating the defendants from interfering the plaintiff possession over the suit schedule property entire extent of 3 acres 25 guntas . Hence, as it appears that in order to grant the relief as prayed by the plaintiff the hearing on other side is required before passing the orders on application. However in order to avoid the multiplicity of proceedings. At this stage this court found that the defendants would be order to maintain statu-quo regarding the changing the nature of the schedule property.

Therefore this Court is in opinion that the this is fit case to dispense with prior notice U/O XXXIX Rule 3 of CPC and its just and proper to issue Ad-interim Ex-parte Injunction against the defendants. Hence, I proceed to pass the following :

### **ORDER**

The defendants are hereby by directed to maintain statu-quo from changing the nature of suit the suit schedule property, till next date of hearing.

The plaintiff shall comply Order XXXIX Rule 3(a) and (b) CPC., by supplying the copies of

plaint, IA and its affidavit and all documents on which plaintiff is relied.

It is made clear that if plaintiff not complied the Order XXXIX Rule 3(a) and (b) CPC., interim order will be stands vacated.

Issue temporary injunction notice on I.A.No.I and issue summons to the defendant.

The office is directed to issue certified copy of this order only after compliance of Order XXXIX Rule 3(a) and (b) of C.P.C and payment of sufficient process fee, copy of the plaint and documents, I.A.I, R/by. 10.07.2026.

Sd/-

Civil Judge & J.M.F.C., Jagalur.