

The plaintiff has filed this suit seeking the partition and separate possession in the suit schedule properties. The temporary injunction claimed as against defendant No.76 to 80 and 91 from alienating/encumbering 'B' schedule properties pending disposal of the suit. It is stated that taking undue advantage of their names appearing in the revenue records, they are trying to alienate the properties behind back of the plaintiff in respect of 'B' schedule property.

Considering the pleading and documents, a prima-facie case is made out at this stage.

If the exparte temporary injunction is not granted the very suit may become infructuous, if the purchaser puts forth the plea of bonafide purchaser for consideration. In such an event the interest of the plaintiff getting jeopardize cannot be ruled out. Therefore, this is the fit case to dispose under Order 39 Rule 3 of C.P.C. Hence, the following,

**ORDER**

The defendants No.76 to 80 and 91 are restrained for alienating / encumbering the suit 'B' schedule properties in any manner till the next date of hearing by way of ad-interim exparte order of temporary injunction.

The plaintiff is directed to comply with Order 39 Rule 3 of C.P.C.

Issue exparte T.I. order against the defendants No.76 to 80 and 91 and issue notice on I.A. No.1 to the said defendants and issue suit summons to the defendants, returnable by:30.01.2023.

I ASCJ & JMFC, Hubballi.