

13.08.2020

ORDER ON I.A. No.1

The I.A. No.1 is filed U/o.39 Rules 1 and 2 R/w. Sec. 151 of CPC, wherein plaintiff has prayed for ad-interim exparte temporary injunction (TI), be granted against opponent/defendant No.2 restraining her from alienating the suit schedule property in any manner, till disposal of the suit.

2. In support of the above said I.A., the plaintiff has sworn an affidavit stating that he has filed this suit for the relief of Specific Performance of Contract and for the relief of Declaration pertaining to suit property. It is submitted that if the defendant No.2 alienates the suit property, the very purpose of filing the suit would be defeated.

3. A perusal of the contents of I.A. No.1, affidavit and documents produced by the plaintiff, at this juncture, the plaintiff has made out the prima-facia grounds to grant exparte ad-interim temporary injunction as prayed, but till next date of hearing.

If temporary injunction is not granted, plaintiff will suffer inconvenience and hardship. Hence, I am inclined to pass the following order:

ORDER

The defendant No.2 is hereby restrained from alienating the suit schedule property in any manner by way of exparte ad-interim temporary injunction, till next date of hearing.

Issue notice of exparte ad-interim temporary injunction order along with suit summons to the defendant No.2 and suit summons to defendant No.1, if the plaintiff complies with the provisions of Order 39 Rule 3(a) and (b) of CPC and if P.F. paid.

Call on: 06.10.2020.

**I Addl. Senior Civil Judge,
Hubballi.**