

The plaintiffs have filed this suit seeking declaration and injunction. The plaintiff has filed I.A. No.II against the defendant No.4 from alienating / encumbering the suit schedule property pending disposal of the suit.

I.A. No.III is filed seeking temporary injunction from interfering with the peaceful possession of the plaintiff over the suit property.

Considering the nature of the suit property orders on I.A. No.III is proper to be passed after hearing the defendant. However, prima-case case is made out in respect of I.A. No.II only, restraining alienation of the suit property till the next date of hearing. If the same is not passed the very suit becoming infructuous and pleading to multiplicity of proceedings and unnecessary complications cannot be ruled out. Hence, the following,

ORDER

The defendant No.4 is restrained for alienating / encumbering the suit schedule property in any manner till the next date of hearing by way of ad-interim exparte order of temporary injunction.

The plaintiffs are directed to comply with Order 39 Rule 3 of C.P.C.

Issue exparte T.I. order against the

defendant No.4 and issue notice on I.A. No.II and I.A. No.III to the defendant No.4 and issue suit summons to the defendants, returnable by:20.07.2023.

I ASCJ & JMFC, Hubballi.