

The plaintiff has filed the suit for specific performance of contract. Along with suit I.A. No.I is filed u/o 39 rule 1 and 2 of CPC for seeking exparte ad-interim temporary injunction order against defendant from alienating the suit property till disposal of suit.

The application is supported by the affidavit sworn to by the plaintiff. It is contended that the defendants have executed agreement of sale in his favour and received part consideration amount of Rs.18,00,000/- on 01.08.2021. The remaining balance is to be paid at the time of sale deed. Now the defendants are not ready to execute sale deed and trying to alienate the suit property. Therefore, it is

necessary to restrain the defendants from alienating the suit property.

I have gone through the averments of plaint, I.A. affidavit and documents, which discloses that the defendants are the owners of suit property. The defendants have executed agreement of sale in favour of plaintiff agreeing to sell the suit property. The defendants are not ready to execute sale deed inspite of issue of notice. It is apprehension of plaintiff that defendants may alienate suit property. If the defendants succeeds in alienating the property it will cause multiplicity of proceedings. Therefore, in order to avoid multiplicity of proceedings and to minimise the litigation it necessary to grant T.I. order as sought for. Hence, court proceed to pass the following...

ORDER

Issue suit summons, notice on I.A.No.1 to the defendants.

Issue exparte ad-interim temporary injunction order against defendants as sought in I.A. No.1 till next date of hearing.

Call on: 22.08.2024

SR. CIVIL JUDGE AND JMFC,
KALAGHATAGI