

ORDERS ON I.A.NO.1

The plaintiffs have filed a suit for partition and separate possession and declaration that compromise decree passed in O.S.No.111/2024 dated 08.03.2025 is not binding on share of the plaintiffs. Along with suit I.A.1 is filed u/o 39 rule 1 and 2 of CPC for seeking exparte temporary injunction against defendant No.20 to 26 from alienating or transferring the suit schedule properties till disposal of suit.

This application is supported with affidavit of plaintiff No.1. It is contended that they have filed suit for partition and separate possession of their share. Now the defendant No.20 to 26 taking advantage of compromise decree passed in O.S.No.111/2024 are trying to enter their name and alienate the properties. Therefore, it is necessary to restrain the defendant No.20 to 26 from alienating or transferring the suit schedule properties till disposal of suit. If the defendant No.20 to 26 succeeded in their attempt the plaintiffs will be put into hardship which cannot be compensated in terms of money. Hence, prays for grant of exparte temporary injunction against defendants.

I have gone through the averments of plaint, I.A. affidavit and documents, which discloses that the the plaintiffs and defendants are the members of joint family. The Plaintiffs are having share in the suit properties. The defendants taking advantage of decree

trying to enter their name and alienate the property. In case defendant No.20 to 26 succeeded in their attempt it will cause multiplicity of proceedings. The disposal of case will take time. Therefore, in order to avoid multiplicity of proceedings and to minimize the litigation it necessary to grant T.I. order as sought for. Hence, court proceed to pass the following...

ORDER

Issue suit summons to defendants.

Issue notice on I.A. No.1 to the defendant No.20 to 26.

Issue exparte temporary injunction order against defendant No.20 to 26 as sought in I.A.No.1 till next date of hearing.

The plaintiffs are hereby directed to comply the mandatory provisions of order 39 rule 3(A) of CPC.

Call on: 21.11.2025

SR. CIVIL JUDGE AND JMFC,
KALAGHATAGI