

ORDERS ON I.A.NO.I

The learned counsel for plaintiff has filed I.A.No.I U/O.39 Rule 1 & 2 R/w Sec.151 of CPC to restrain the defendant from alienating, creating encumbrance, pledging and mortgaging the suit properties in favour of any other person by means of ex-parte ad-interim order of Temporary injunction till disposal of suit.

The said application is accompanied by the affidavit of the plaintiff stating that the plaintiff has filed suit for specific performance of contract.

Heard. Perused the materials available on record.

In order to prove the case of plaintiff, the learned counsel for the plaintiff has produced below mentioned documents:-

1. Agreement of sale.
2. Property extract from No.11B.
3. Statement of accounts.
4. Office copy of legal notice.

5. Acknowledgment.

6. Reply notice.

On careful perusal of materials available on record, at this stage the plaintiff has made out a prima-facie case. If ex-parte T.I on I.A.No.I is not granted, it will lead to multiplicity of proceedings and will lead to further complications. Hence, in order to advance cause of justice this Court deems fit to grant ex-parte TI order on I.A.No.I. Hence, this Court proceed to pass following:-

ORDER

Ex-parte T I on I.A.No.I filed U/O.39 Rule 1 and 2 R/w Sec.151 is granted against the defendant from alienating, creating encumbrance, pledging and mortgaging the suit property in favour of any one till next date of hearing.

The plaintiff shall comply the provisions of Order 39 Rule 3A of CPC.

Office is directed to issue ex-parte TI notice in respect of I.A.No.I to the defendant only after compliance.

Sd/-

**Prl. Senior Civil Judge & CJM.,
Gadag.**