

THE COURT OF ADDITIONAL CIVIL JUDGE AND J.M.F.C. AT
ARKALGUD.

PRESENT: -Sri.KURANI KANT DHAKU,
B.Com. L.L.B., (Spl)
Addl. Civil Judge & J.M.F.C.,
Arkalgud.

O.S. No.172/2015

Dated.19th day of June 2015.

BETWEEN:-

1. Smt: Ningamma W/o: Eshawaregowda .

----- Plaintiff/Applicant

V/s

1. Shri.Tammegowda S/o: Ramegowda ,
And others.

-----Defendant/opponents.

Order on application under order 39 rule 3 of CPC

This is the application filed by applicant/plaintiff against the defendant under order 39 rule 3 of CPC for seeking Ex-parte Temporary Injunction.

In the Application it is stated that the plaintiff is the lawful owner and possession and enjoyment of suit scheduled properties, and said properties was derived from her husband and the defendants have no right, title interest over the suit property, and trying to disturbing the peaceful possession and enjoyment of suit scheduled property and trying to alienate the suit scheduled properties.

Heard the arguments of Shri. M Y P Advocate for plaintiff perused the records.

On the perusal of R T C No. 85/3 Mutation Map Atlas Map and other records. It appears that the plaintiff is having prima –facie case balance of convenience in his favor and irreparable losses. Hence for the interest of equity and Justice and for defeat the delay and to prevent the multiplicity of suit I proceed to pass the following: -

ORDER

The application filed by the applicant/plaintiff under order 39 rule 3 of CPC is hereby allowed.

Further, Ex-prate TI is granted in favour of plaintiff.

Hereby defendants any men, agent on their behalf are restrained not to disturb the peaceful possession and enjoyment of suit schedule property and not alienate the suit scheduled properties.

Hereby plaintiff is directed to issue notice to defendants' compliance under order 39 rule 3 of CPC.

Office is directed to issue certified copy of this order after compliance under order 39 rule 3 of CPC.

Office is directed to issue summons to defendants along with this order copy if PF is paid.

No costs.

(Dictated to Stenographer, Typed by her, Corrected by me and then pronounced in open court on this 19th day of June 2015)

(SRI. KURANI KANT DHAKU.,)
Addl. Civil Judge & J.M.F.C.,
Arakalgud.