

Order on I.A. No. I

1. Perused IA.No.I, affidavit of the plaintiff and documents produced by him.

2. It is the case of the plaintiff that, he has filed the suit for the relief of partition and separate possession against the defendant. It is stated that the suit schedule properties are the ancestral and joint family properties of the plaintiff and defendant and they are in joint possession and enjoyment the same and till today there is no partition in the suit properties in which he is having legitimate shares and seeking his 1/2 share in the suit schedule properties. Now, the defendant with an intention to defeat his legitimate rights of share are trying to alienate the suit properties to third persons. Hence, she prays to allow IA.No.I.

3. On perusal of the plaint averments and documents produced by the plaintiff, prima-facie it appears that the plaintiff has made out sufficient grounds to grant interim ex-parte temporary injunction order. If the defendant is not restrained from alienating or transferring the suit schedule properties, the very purpose of filing of the suit will be defeated and it will lead to multiplicity of the proceedings. Hence, I proceed to pass the following :

ORDER

IA.No.I filed U/O-39, Rule-1 & 2 R/w 151 of CPC is hereby allowed and the defendant, their agents, servants or anybody claiming under them, from making alienating the suit schedule property, by any mode or manner till next date.

The plaintiff shall comply order XXXIX Rule III(A) of CPC.

Issue notice on order passed on IA.No.I and mediation notice to defendant and both parties are directed to appear before the mediation on 13.03.2026.

Await mediation report 18.03.2026.

**Senior Civil Judge & JMFC,
Arsikere.**