

Order on I.A. No. II

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

2. The plaintiff in his affidavit filed along with this application has stated that, he has given hand loan of Rs.23,70,000/- on different dates by way of RTGS and he has promised to repay the same within 3 months. After lapse of 3 months, he demanded and requested the defendants to pay the said amount but he has not paid the same. Now the defendants are intending to alienate the suit property in order to cheat him and except the suit property the defendants are not having any other source of income or property. Hence, it is prayed to allow I.A.No.II.

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 attach the property before Judgment. If the property is not attached before Judgment, the very purpose of filing of the suit will be defeated and it will lead to multiplicity of the proceedings. Hence, I proceed to the pass the following :

ORDER

IA.No.II filed U/O-38, Rule-5 of CPC is hereby allowed and accordingly, the properties situated at Kunduru Village, Singatagere Hobli, Kaduru Taluk bearing Sy.No.135/1 measuring 22 guntas, Sy.No.63, measuring 8 guntas, Sy.No.1/4 measuring 17 guntas, Sy.No.79

measuring 16 guntas, Sy.No.52/3 measuring 15 guntas, Sy.No.59 measuring 6 guntas and Sy.No.62 measuring 10 guntas are hereby attached before the Judgment till next date.

The plaintiff shall comply.

Issue notice on order passed on IA.No.II and SS to defendants.

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