

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, on 26.4.2023 he has entered into a registered agreement of sale with the defendants with respect to suit schedule properties for Rs.35,00,000/- and received earnest money of Rs.7,00,000/- and executed registered agreement of sale in his favour and he has ready with balance consideration amount of Rs.28,00,000/- and ready to his performance on part of contract. He requested the defendants to complete their part of contract, but one or other reasons the defendants postponed the execution of the sale deed. On 27.3.2025 the plaintiff has issued legal notice to the defendants to come and execute the registered sale deed. Though the said notice has been served on the defendants, they have not come forward to execute the registered sale deed and now the defendants are trying to alienate the suit properties.

3. So, prima-facie it appears that the plaintiff has obtained the registered sale agreement and made out sufficient grounds to grant interim ex-parte temporary injunction order. If the defendants succeed in alienating the suit 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 the pass the following:

ORDER

I.A.No.I filed U/O-39, Rule-1 & 2 r/w 151 of CPC is hereby allowed and the defendants, their men or anybody claiming under them are hereby restrained from alienating or creating any third-party interest or in any way encumbering the suit schedule properties, 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 SS to defendants.

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