

Order on I.A. No. I

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

2. It is the case of the plaintiff that, she has filed the suit for the relief of declaration and partition against the defendants. It is stated that suit schedule properties are the Hindu Undivided joint family and ancestral properties of the plaintiff and defendants and they are in joint possession and enjoyment the same and till today there is no partition in the suit properties, in which she is having legitimate shares and Late G.R.Palakshappa S/o Rudrappa. Further it is stated that, one month ago when plaintiff visited the suit schedule property then the defendants have dispossessed her. Thereafter, plaintiff verified the documents in concerned office then she came to know that the defendants colluding with each other without her knowledge have executed the sale deed in favour of

the defendant No.5 of the suit item No.1. Which is not binding upon her share. Then the plaintiff approached the defendants to give her 1/3rd share in suit schedule properties, for which they have refused and Now, the defendants with an intention to defeat her legitimate rights of share are trying to alienate the suit properties to third persons. Hence, he 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 defendants are 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 defendants, their agents, servants or anybody claiming under them restrained from alienating or transferring 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 mediation notice to defendant and both parties are directed to appear before the mediation on 04.07.2026.

Await mediation report 08.07.2026.

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