

ORDERS

Heard the plaintiff on I.A.Nos.1 and 2. I.A.No.1 is filed under order 39 Rules 1 and 2 r/w 151 of CPC seeking an exparte order of temporary injunction restraining defendant No.8, his men, agents, representatives or any other persons through him, from alienating the plaint schedule properties or causing any acts of waste or damage to the plaint schedule properties.

I.A.No.2 is filed under order 39 Rules 1 and 3 r/w 151 of CPC seeking an exparte order of temporary injunction against the defendants by dispensing with the notice to the defendants as the delay in issuing notice to the defendants will defeat the object of granting injunction.

In this case, it is seen that this is a suit for partition and separate possession. The suit schedule properties are the agricultural lands. It is the contention of the plaintiff that the suit schedule properties are the ancestral properties and still there was no partition of the said properties by metes and bounds. It is contended that defendant Nos.1 to 7 without the consent of the plaintiffs have sold the suit schedule properties to defendant No.8 under two registered sale deeds dated 7.2.2023. It is contended that defendant No.8 is making attempt to alienate the suit schedule properties. Hence, in view of the plaint averments, it is necessary to protect the suit properties till the appearance of the defendants. Accordingly, both parties are directed to maintain status

quo in respect of the suit properties as on today until the next date of hearing. This order is subject to compliance of order 39 Rule 3 of CPC.

Issue suit summons and notice on I.A. Nos.1 and 2 with copy of this order.

(Smt.Anitha G.)
Senior Civil Judge & JMFC,
Arsikere.