

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 partition and separate possession against the defendants. It is stated that herself and defendants are the joint family members and suit schedule properties are their joint family properties. Further it is stated that the defendant No.1 colluding with defendant No.2 have executed Gift Deed in the year 2022 and based on the said document, katha has been mutated and presently colluding with each other in a hurry to sell the suit schedule properties which are all ancestral joint family properties. 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 defendants are not restrained from alienating or mortgaging 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 of CPC is hereby allowed and the defendant Nos.1 and 2 are hereby restrained from alienating or mortgaging or encumbering suit schedule properties to anybody, 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.

Returnable by :

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