

I have heard Sri. M.U. Advocate for plaintiff on I.A.No.1 & 2. And perused the application, affidavit, plaint and documents. The plaintiff has filed the suit for injunction against the defendant contending that he is the owner of the property. Defendant without having any right, title or interest over the property constructing the shed over the suit property. Hence, plaintiff constrained to file this suit and prays to allow the application.

On perusal of the entire records, it reveals that suit property is granted land in favour of the plaintiff and records are standing in the name of plaintiff. Thus, at this stage plaintiff has made out prima facie case to grant ad-interim injunction. If summons were issued to the defendants and temporary injunction is not granted, it leads multiplicity of the proceedings.

Hence, I proceed to pass the following: -

ORDER

Exparte TI is granted.

Defendants and their agents, servants or anybody acting on his behalf are restrained from further construction of the house or shed over the suit schedule property of the plaintiff till next date of hearing.

The plaintiff is directed to comply as per the order 39 rule 3 of CPC.

Issue suit summons, emergent notice on I.A No.1 & 2 order to the defendants through RPAD. If RPAD furnished.

Concerned pending clerk is directed to issue copy of the order

only if sufficient PF and plaint
copy is furnished.

Call on: 15.09.2020.

(Ameet Ghatti)

II Addl. Civil Judge and JMFC,
Arsikere.