

ORDERS ON I.A.No.III

This application is filed by the plaintiff under Order 39 Rule 1 and 2 R/w Sec.151 of Civil Procedure Code seeking order of temporary injunction to restrain the defendants from interfering with the possession of the plaintiff over the suit property.

2. In this case, the defendant No.1 entered appearance through his counsel. The defendant No.2 is represented by learned AGP. The defendants despite granting opportunities, have taken time for filing their written statement stating that they are collecting documents to prepare written statement and objections. As such, the learned counsel for plaintiff submitted to consider I.A.No.3 to pass necessary orders by invoking grave urgency. Accordingly, heard the learned counsel for plaintiff.

3. It is contended that the plaintiff is the owner and in possession of the suit property having acquired the same through registered sale deed dated 22-04-1996. Subsequently, she has mortgaged the suit property to the Schedule Caste and Schedule Tribe Development Corporation, Hassan for a period of 10 years on 22.04.1996. The same was subsequently released and the clearance certificate was also issued on 30.09.2005. The defendants are no way related to the suit property and by using their money, muscle and political power are illegally attempting to interfere with the possession of

plaintiff. Hence, the present suit and application are filed.

4. The defendant No.1 and 2 have sought for time to file their written statement. On going through the plaint, IA's, documents, this court is of the opinion that there is need for hearing the defendant No.1 and 2 also on the said aspect and to know what is their right or claim over the suit property, without which this court cannot pass effective order on I.A.No.3.

5. Therefore, for filing of written statement and objections to I.A.No.3 by defendants as last chance and to hear on I.A.No.3 by: **13.07.2023.**

(Prasanna Kumar C.)
Civil Judge & JMFC, Belur.