

ORDERS ON I.A. No.1

The counsel for the plaintiffs filed I.A No.1 U/o 39 Rules 1 and 2 of CPC and praying to restrain the defendants from interfering with the peaceful possession and enjoyment of the plaintiffs over the suit schedule property till disposal of the suit in the interest of justice.

2. Perused the plaint averments, application averments and statements made in the affidavit and also perused the documents produced by the plaintiffs. On perusal of the same prima facie it discloses that originally the suit schedule property was standing in the name of plaintiff No.1 and she was in peaceful possession and enjoyment of the same. Out of love and affection towards plaintiff No.2, the plaintiff No.1 executed registered gift deed dated 13.08.2015. Thereafter the plaintiff No.2 became the absolute owner in possession of the suit schedule property and the khatha of the said property is now standing in the name of plaintiff No.2. At this juncture the plaintiffs are entitled for exparte interim relief as sought by them in the application. Hence this court proceed to pass the following:

ORDER

The I.A No.1 filed by the plaintiffs is hereby allowed.

The defendants are hereby restrained from interfering with the peaceful possession and enjoyment of the plaintiffs over the suit schedule property till next date of hearing.

The plaintiffs shall comply with Order 39 Rule 3 of CPC failing which the above Order stands recalled.

Issue suit summons and notice on IA No.I to defendants, if P.F paid.

Returnable by 03.02.2026.

***Prl. Civil Judge & Jmfc,
Channarayapattana.***