

::ORDER ON I.A.NO.II::

I have perused the plaint, I.A.No.II, accompanying affidavit and the documents produced by the plaintiff in support of his case.

On perusal of the plaint averments and documents, the plaintiff has filed the present suit for the relief of permanent injunction in respect of the suit schedule property. It appears on prima-facie that the plaintiff has sought the present suit including B karab land to an extent

of 3 guntas. Further on perusal of registered gift deed dated 22.01.2024, the boundaries mentioned in the said deed is not in consonance with the boundaries mentioned in the plaint. Further it appears on prima-facie there as been already an agreement of sale in favour of the defendant. Hence, the same has to be determined. Hence, this court is of the opinion that before passing any orders on I.A.No.II, notice has to be issue to the defendant as contemplated U/o XXXIX Rule 3 of CPC.

Issue S/S and emergent notice on I.A.No.II to the defendants if P.F. is paid.

R/by : 05.07.2024.

Addl. Civil Judge & JMFC,
Sakaleshpura.