

The plaintiff has filed the present suit against the defendant No.1 to 3 by seeking the relief of declaration and consequential relief of permanent injunction to restrain the defendant No.1 or anybody acting under her in peaceful possession and enjoyment of the suit schedule property.

The plaintiff has maintained I.A.No.I under order 39 Rule 1 and 2 of C.P.C., by seeking to restrain the defendant No.1 from alienation of suit schedule property by way of ad-interim ex-parte temporary injunction till the disposal of the suit.

Perused the I.A.No.I, its accompanying affidavit, plaint and other document relied upon by the plaintiff at this stage. On perusal of the same, the considered opinion of this court is that the suit involves arguable case. In other words, case involves prima facie case, balance of convenience of lies in favour of plaintiff and unless exparte TI as sought for is granted, very purpose of the suit will be defeated by reason for dealy and also results in multiplicity of the proceedings. Therefore, the following:-

ORDER

The defendant No.1 is hereby restrained from to alienation of the suit schedule property till next date of hearing by way of ad-interim exparte temporary injunction.

Issue suit summons to defendants and emergent notice on I.A.No.I to the defendant No.1 if sufficient PF is paid.

Issue order of exparte temporary injunction in favour of plaintiff, if she comply the order 39 Rule 3(a) of the CPC.

Returnable by : 24-09-2024

Civil Judge & JMFC.,
Hangal.