

ORDERS ON IA No.1

This is a suit filed by the plaintiff for the relief of Permanent Injunction against the defendants in respect of the suit schedule property. I.A.No.1 is filed by the plaintiff under **Order 39 Rule 1 and 2 R/w Section 151 of CPC** seeking an ad-interim order of temporary injunction restraining the defendant No.1 and their henchmen, agents from illegal interruption to the peaceful possession and enjoyment of the suit schedule property by the plaintiff till disposal of the suit by dispensing the notice to the defendant No.1 in the interest of justice and equity.

2. The I.A.No.I is supported with the affidavit of the plaintiff. I have gone through the affidavit and the documents produced by the plaintiff. The learned counsel for the plaintiff has argued that the suit schedule property was purchased by the ancestor of the plaintiff and the defendant No.2 to 6 and is standing in the joint name of the plaintiff and the defendant No.2 to 6. The learned counsel for the plaintiff has argued that the defendant No.1 is a stranger and bajudar on the southern side of the suit schedule property and trying to interfere with the peaceful possession and enjoyment of the suit schedule property. Perused the documents produced by the plaintiff. It shows that if the present application is not allowed then it can cause multiplicity of proceedings. At this stage, I'm of the view that the plaintiff has made out prima-facie case. Hence, I proceed to pass the following:

ORDER

I.A. No.1 filed by the plaintiff under **Order 39 Rule 1 and 2 of CPC** is hereby allowed.

The defendant No.1, his henchmen, agents or anybody claiming under him are hereby restrained by way of temporary injunction order from interfering with the peaceful possession and enjoyment of the suit schedule property by the plaintiff till next date of hearing.

The plaintiff is hereby directed to comply the exparte temporary injunction under the provision of **Order 39 Rule 3 of CPC** without fail.

Issue suit summons to the defendant No.1 to 6, notice on IA No.1 to the defendant No.1 and temporary injunction order to defendant No.1 after compliance, returnable by **07-02-2026**.

**Civil Judge & JMFC,
Hangal.**