

The plaintiffs have filed present suit against the defendant by seeking the relief of permanent injunction to restrain her or anybody acting under her from interfering in peaceful possession and enjoyment of suit schedule property.

Along with the suit, the plaintiffs have jointly filed the I.A.No.II under order 39 Rule 1 and 3 of CPC seeking to restrain the defendant or anybody acting under in interfering with peaceful possession and enjoyment of the suit schedule property by the ad-interim exparte temporary injunction.

The suit schedule property is an agricultural land bearing Sy.No.5/A/3 measuring 4 acres 21 guntas 14.50 anas situated at Shiragoda village. As per Section 4 of the Land Reforms Act of 1974, no exparte temporary injunction shall be granted without serving the notice of application to the defendant since the plaintiffs in the I.A.No.II has sought for exparte temporary injunction seeking to restrain the defendant from interfering with plaintiffs possession of the suit schedule property which is a agricultural land. In view of embargo created in the said law, this court is of the opinion that, no exparte temporary injunction shall be granted in favour of the plaintiffs without issuing the notice of I.A.No.II to the defendant. Accordingly, this court has proceed to pass the following:-

ORDER

Issue suit summons and
emergent notice on I.A.No.II to the
defendant, if sufficient PF is
furnished.

Returnable by : 02-01-2025

Civil Judge & JMFC.,
Hangal.

