

ORDERS ON IA.NO.1

The plaintiff has filed the suit against the defendants for the relief of Partition and Separate possession in respect of the suit schedule 'A' properties and also has filed the IA U/o 39 rule 1 & 2 of CPC for seeking the relief of ad-interim temporary injunction by way of not to alienate the suit schedule 'A' item No.1 property to the 3rd person.

I peruse the IA along with Affidavit and documents available on record.

The applicant submit that, the plaintiff and defendants are the members of the joint family. The suit schedule properties are the plaintiff and defendants. The defendant No.1 is attempt to trying to alienate the suit schedule 'A' item No.1 property to the 3rd person, if they succeed the plaintiff will be facing multiplicity of proceeding. Hence, applicant has filed this application. I peruse the IA and documents. The applicant is made out prima-facie case at this stage. Hence, I am of the opinion that to avoid the multiplicity of the proceedings it is necessary to issue exparte temporary injunction against the defendants if TI is granted in favour of the plaintiff and against the defendants no hardship cause to the defendants.

Hence, I pass the following.

ORDER

Issue exparte temporary injunction on IA No.1 against the defendant No.1 by way of not to alienate the suit schedule 'A' item No.1 property in any manner to the 3rd person till next date of hearing.

The applicant/plaintiff shall comply the 39 rule 3(a) of CPC.

Issue exparte TI order on IA.No.1 if comply the order as contemplated under law.

Issue notice on IA and summons to the defendants.

Call on : 06-03-2021

Sd/-

Prl. C. J. & I Addl. JMFC,
Ranebennur.