

O.S.NO.138/2019

Date:28.06.2019

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Advocate for Plaintiff filed IA-1 U/O 39 Rule 1 and 2 of CPC praying this court to pass the ad-interim exparte temporary injunction restraining the defendant No.1,3 and 4 or any body claiming through them from alienating, lease or mortgaging the suit "A" schedule properties to any body till disposal of the suit in the interest of justice. In support of the I.A, plaintiff sworn to her affidavit and produce the relevant documents in respect of suit schedule properties.

I have heard the counsel for plaintiff on IA No.1 and gone through the materials placed on record along with plaint.

I am of the opinion that, at this stage plaintiff has made out prima-facie case in her favour on IA No.1. If the application is not allowed, plaintiff may suffer untold hardship and purpose of filing this suit will be defeated. Therefore, in the interest of the justice, IA No.1 filed by the plaintiff needs to be allowed. Hence, I proceed to pass the following;

ORDER

IA No.1 filed by the plaintiff U/O 39 Rule 1 and 2 of CPC is allowed.

Defendants or any persons claiming through them are restrained temporarily from alienating, or creating charge over the suit "A" schedule properties in any manner till next date of hearing.

plaintiff has to comply the order 39 Rule 3 of CPC.

Issue TI order on IA No.1 and suit summons to the defendants by RPAD.

R/by: 15.07.2019

Prl. C.J & 1st Addl. JMFC.,
Ranebennur.

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Date:28.06.2