

ORDER

Heard Sri. I.B. Hurakadli advocate for plaintiffs on IA No.I.

This is a suit filed by the plaintiffs against defendant for partition and separate possession claiming there 1/3rd share in the suit properties. The plaintiffs have filed IA No.I U/o 39 Rule 1 and 2 CPC seeking ad-interim injunction restraining the defendant No.5, 6, 17 and 19 from alienating, making charge or raising loan over the suit schedule A and B properties in any manner till disposal of this suit.

Perused the IA, affidavit annexed to the IA, plaint, documents annexed to the plaint. It appears on perusal of the plaint statement of fact the plaintiffs are claiming share in the suit properties as against the defendant No.5, 6, 17 and 19. Further the plaintiffs claims that the suit schedule properties are ancestral, joint family properties as of now available for partition. Hence, this being suit for partition and separate possession wherein plaintiffs claiming right over the suit properties therefore at this initial stage of proceedings the plaintiffs have got prima-facie case to grant temporary injunction against defendant. Moreover, the purpose of

initiating suit will be served in order to decide rights of the plaintiffs over suit properties, if suit properties kept intact at least till appearance of the defendant. Therefore, the following.

ORDER

Ex-parte temporary injunction is granted in favour of plaintiffs/applicants.

The defendant No. 5, 6, 17 and 19 are hereby restrained by way of Ex-parte temporary injunction from alienating, making charge or raising loan over the suit schedule A and B properties in any manner till next date of hearing.

Plaintiffs/applicants shall comply the provision of order 39 Rule 3 of CPC.

Office to issue certified copies only after due compliance of above said provision of law.

Issue temporary injunction order against defendant No.5, 6, 17 and 19, suit summons to the all defendants by way of urgent process. R/by 06.06.2025.

**Senior Civil Judge &
JMFC, Shiggaon.
(At. Savanur).**