

Plaintiffs counsel is present. Heard on IA. No.I and II.

Perused the plaint, I.A.No.I and II as well as the documents placed on record by the plaintiffs.

This suit is instituted by the plaintiffs for the relief of partition and separate possession with respect to the suit schedule properties.

In addition to the main relief, I.A.No.I is filed by the plaintiffs seeking Ad-interim exparte temporary Injunction order against the defendant and his inmates claiming them from alienating or encumbering or mortgaging in respect of the suit schedule properties in any manner till disposal of this suit. At this stage, the plaintiffs have made out prima-facie case. If, exparte temporary Injunction is not granted, the purpose of the filing of the suit will be defeated.

Heard on IA No.II. Perused the documents.

The plaintiff No.2 and 3 are minors in this case and represented through their natural mother by name Sangeeta W/o Late Nagayya i.e., plaintiff No.1, who is the best person to act as guardian of minor plaintiff No.2 and 3 and except their mother i.e., plaintiff No.1, there is no adverse interest against the minor plaintiff No.2 and 3 in this case. Hence, IA No.II filed by the plaintiffs under order 32 Rule 1 of CPC is allowed, for the present keeping open the objection of the defendants if any, the plaintiff No.1 is appointed as minor guardian to plaintiff No.2 and 3. Hence, I proceed to pass the following:-

**ORDER**

The defendant and his inmates are hereby restrained from alienation or encumbering or mortgaging the suit schedule properties in any manner till next date of hearing.

The plaintiffs are directed to comply the provisions of order 39 of R-3 of C.P.C.

Issue T.I order on IA No.I, notice on I.A.No.I and II and suit summons to the defendant if PF paid.

Returnable by: 21-08-2023.

Senior Civil Judge,  
Aland.