

ORDER

The plaintiffs have filed the application under order 39 rule 1 and 2 of CPC with a prayer to pass an exparte ad-interim order of temporary injunction against the defendant No.4 and 5 from alienating the suit properties pending disposal of the suit.

2. It is the case of the plaintiffs that the plaintiffs and defendant No-1 to 3 are the joint family members. The suit properties are the ancestral and joint family properties of the plaintiffs and defendant No-1 to 3. The defendant No-1 and 2 without any absolute rights have sold the suit properties to the defendant No.4 and 5. The defendant No-4 and 5 are now trying to alienate the suit properties.

3. Heard the arguments and perused the materials on record.

4. On going through the materials at this stage it appears that plaintiffs have produced the documents in support of their case. Hence on considering the allegations made by the plaintiffs and considering the materials on record at this stage in order to avoid multiplicity of proceedings this court is of the opinion that the plaintiffs have made out grounds for passing an interim order in their favour on IA No.I.

Hence I proceed to pass the following...

ORDER

The defendant No.4 and 5 are hereby restrained by an order of ex parte temporary injunction from alienating the suit properties till next date of hearing.

The plaintiffs are hereby directed to comply the order as per order 39 rule 3(a) of CPC without fail.

Issue notice of IA No.I to the defendant No.4 and 5.

Issue suit summons to defendant No.1 to 5.

Call on 08-04-2025.

Senior Civil Judge and JMFC,
Afzalpur.