

ORDER

The plaintiff has filed the application under order 39 rule 1 and 2 of CPC with a prayer to pass an ex parte ad-interim order of temporary injunction against the defendant from alienating the suit schedule property pending disposal of the suit.

2. It is the case of the plaintiff that the defendant has executed agreement of sale in favour of the plaintiff on 08-12-2023 by receiving advance sale consideration of Rs.15,00,000/-. The defendant is now trying to alienate the suit property to the third parties.

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

4. On going through the materials at this stage it appears that plaintiff is claiming his rights under agreement of sale. Hence considering the allegations made by the plaintiff and considering the materials on record at this stage in order to avoid multiplicity of proceedings this court is of the opinion that the plaintiff has made out grounds for passing an interim order in his favour on IA No.I.

Hence I proceed to pass the following...

ORDER

The defendant is hereby restrained by an order of ex parte temporary injunction from alienating the suit schedule property till next date of hearing.

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

Issue suit summons and notice of IA No.I to the defendant.

Call on 05-04-2024.

Senior Civil Judge and JMFC,
Afzalpur.