

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 No.4 from alienating the suit schedule property pending disposal of the suit.

2. It is the case of the plaintiff that the plaintiff and defendant No.2 and 3 are the children of defendant No.1. The plaintiff and defendant No.1 to 3 are the Hindu joint family members. The suit property is the ancestral and joint family property of the plaintiff. The defendant No.1 without any right has sold the suit property to the defendant No.4. The defendant No.4 is now trying to alienate the suit property by taking undue advantage of the records in her name.

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

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4. On going through the materials at this stage it appears that plaintiff is claiming her share in the suit property. Hence on 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 her favour on IA No.I.

Hence I proceed to pass the following...

ORDER

The defendant No.4 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 to the defendant No.1 to 4 and notice of IA No.I to the defendant No.4.

Call on 07-06-2024.

Senior Civil Judge and JMFC,
Afzalpur.