

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.3 and 4 from alienating the suit properties pending disposal of the suit.

It is the case of the plaintiff that the defendant No.1 is the mother of the plaintiff. The defendant No.2 and 3 are the brothers of the plaintiff. The defendant No.4 is the purchaser of portion of suit property. The plaintiff and the defendant No.1 to 3 are the joint family members. The plaintiff has got a share in the suit properties. The suit properties are the joint family properties of the plaintiff and defendant No.1 to 3. The defendant No.1 without any right has executed sale deed to the defendant No.4 with respect to portion of suit property. The defendant 3 and 4 are now trying to alienate the suit properties.

Heard the arguments and perused the materials on record.

On going through the materials at this stage it appears that plaintiff is claiming her share in the suit properties. 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.3 and 4 are hereby restrained by an order of ex parte temporary injunction from alienating the suit schedule properties 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.3 and 4.

Call on 27-07-2024.

Senior Civil Judge and JMFC,
Afzalpur.