

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.1, 2, 3 and 6 from alienating the suit schedule properties pending disposal of the suit.

It is the case of the plaintiffs that the plaintiffs are the children of defendant No.1. The plaintiffs and the defendant No.1 are the joint family members. The plaintiffs have got a share in the suit properties. The suit properties are the joint family properties of the plaintiffs and defendant No.1. The defendant No.1, 2, 3 and 6 are now trying to alienate the suit properties by taking undue advantage of the records in their name.

Heard the arguments and perused the materials on record.

On going through the materials at this stage it appears that plaintiffs are claiming their share in the suit properties. 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.II.

Hence I proceed to pass the following...

O R D E R

The defendant No.1, 2, 3 and 6 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 defendant No.1 to 6 and notice of IA No.II to the defendant No.1 to 3 and 6.

Call on 07-06-2024.

Senior Civil Judge and JMFC,
Afzalpur.