

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.1 and 4 from alienating the suit schedule properties pending disposal of the suit.

It is the case of the plaintiff that the plaintiff and the defendants are the joint family members. The plaintiff has got a share in the suit properties. The suit properties are the ancestral and joint family properties of the plaintiff and defendants. The defendant No.1 and 4 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 plaintiff is claiming his 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 his favour on IA No.I.

Hence I proceed to pass the following...

ORDER

The defendant No.1 and 4 are hereby restrained by an order of exparte 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 notice of IA No.I to the defendant No.1 and 4.

Issue suit summons to defendant No.1 to 5.

Call on 03-09-2024.

Senior Civil Judge and JMFC,  
Afzalpur.