

ORDER

The plaintiffs have filed the application under order 39 rule 1 and 2 read with Section 151 of CPC with a prayer to pass an exparte ad-interim order of temporary injunction against the defendants from alienating the suit schedule properties pending disposal of the suit.

2. It is the case of the plaintiffs that, the plaintiffs and defendants No.1 to 6 are the joint family members. The suit properties are the ancestral and joint family properties of the plaintiffs and defendant No.1 to 6. The defendant No.7 to 10 are purchasers of the property. Now the defendants are trying to alienate the suit properties by taking undue advantage of the records in their name.

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

4. 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.I.

Hence I proceed to pass the following...

ORDER

The defendants are hereby restrained by an order of ex parte temporary injunction from alienating the suit schedule properties till next date of hearing.

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

Senior Civil Judge and JMFC,
Afzalpur.

The defendant No.9 reported to be refused the summons.
The defendant No.9 is called out absent. Hence placed ex parte.
Advocate for the plaintiffs has furnished PF with RPAD cover.
Hence reissue summons to defendant No.1, 2 and 10 through RPAD.

By 25-11-2024.

Senior Civil Judge and JMFC,
Afzalpur.