

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.5 to 8 and 14 from alienating the suit properties pending disposal of the suit.

It is the case of the plaintiff that the suit properties are the ancestral and joint family properties of the plaintiff and defendant No.1 to 13. The plaintiff has got a share in the suit properties. The defendant No.5 to 8 and 14 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.

Perused the records it appears that the defendant No.14 has filed caveat against the defendant No.1 and 9. The said caveat is not against the plaintiff.

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 her favour on IA No.I.

Hence I proceed to pass the following...

ORDER

The defendant No.5 to 8 and 14 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 and notice of IA No.I to the defendant No.5 to 8 and 14.

Issue suit summons to the defendant No.1 to 4 and 9 to 13.

Call on 18-11-2023.

Senior Civil Judge and JMFC,
Afzalpur.