

ORDER

The plaintiff has 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 defendants from alienating the suit properties pending disposal of the suit.

It is the case of the plaintiff that the plaintiff and the defendant No.1 to 11 are the brother and sisters. They have inherited the suit properties from their father Madarsab. The defendants have got entered their names to the suit properties illegally. The defendant No.12 is a purchaser of portion of suit properties. The plaintiff has got a share in the suit properties. The defendants 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 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 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.

Issue suit summons and notice of IA No.1 to the Defendant No.1 to 12.

Call on 06-01-2024.

Senior Civil Judge and JMFC,
Afzalpur.