

Heard advocate for the plaintiffs
on IA No-1.

For orders.

Senior Civil Judge and JMFC,
Afzalpur.

ORDER

The plaintiffs have 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-2 from alienating the suit properties pending disposal of the suit.

2. It is the case of the plaintiffs that, the defendants without including the plaintiffs as party have got a decree in their favour. The plaintiffs are the wife and son of Bhimashankar. The Bhimashankar is the brother of the defendant No-1. The defendant No-2 to 4 are the second wife and children of the Bhimashankar. The father of the Bhimashankar has executed a sale deed in favour the plaintiff No-1. The plaintiffs have got share and right in the suit properties. The defendant No-2 is now trying to alienate the suit properties.

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 rights over 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.1.

Hence I proceed to pass the following...

ORDER

The defendant No-2 is 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 notice of IA No-1 and 2 to the defendant No-2.

Issue suit summons to the defendant No-1 to 4.

Call on 26-03-2026.

Senior Civil Judge and JMFC,
Afzalpur.