

*Heard plaintiff counsel on I.A. No. I.
For Orders kept by.*

ORDER ON I.A. NO. I

I.A. No. I filed U/Order 39 rule 1 and 2 of CPC. The plaintiff submitted that plaintiff defeated NO.1 owner of suit property bearing Sy.No.188/1 total measuring 09 acre 31 gunta, out of which towards northern side of the property to the extent of 03 acres 00 guntas agreed to sell in favor of plaintiff and executed agreement for sale dated 26/12/2022 as per the agreement the plaintiff and defendants agreed to consideration amount of Rs.10,50,000/- out of which 9,50,000/- has been paid by the plaintiff to the defendant No.1 as earnest money. And defendant No.1 agreed to execute the sale deed in favour of plaintiff after preparing the documents but the defendant No.1 behind the back of plaintiff executed sale deed in favour of defendant No.2 and defendant NO.2 is intended to alienate the suit property to others therefore plaintiff is filed present suit.

The plaintiff filed suit against Defendants for Specific Performance of Contract. at this stage plaintiff produce agreement of sale of ROR suit properties are presently standing in the name of defendant No.1 and the plaintiff produce the sale deed copy of defendant No.1 executed in favour of defendant No.2 in respect of suit property to the extend of 05

Acre 09 Guntas therefore at this stage the plaintiff has made out the Prima-facie case. However to avoid the multiplicity of proceedings in this case, this Court proceeds to pass the following Order.

ORDER

An ad-interim Order of Temporary Injunction is granted in favour of the plaintiff and restrained the Defendant No.1 and 2 from not to alienate, mortgage or create any kind of charge over the suit property bearing Sy. No. 188/1 measuring 03 acres 00 guntas is situated at northern side in the Sy.No.188/1 of Baluragi village in Tq. Afzalpur. until further order.

However, Issue order of T.I on I.A.No. 1 and suit summons to defendants if necessary steps taken after compliance U/o 39 Rule 3 of C.P.C.

It is directed that if failure to comply the U/O-39 Rule-3 of CPC the interim order will be vacated automatically. Call on 20/07/2026

**Civil Judge & JMFC,
Afzalpur**