

OS 31/2026

:: EX-PARTE ORDER ON IA NO. I ::

Perused the plaint, IA filed u/o 39 rule 1 and 2 of CPC. The connected affidavit sworn to by the plaintiffs and the documents appended to the list suit is for the relief of Partition and Separate Possession pertaining to the suit schedule properties restraining the defendant No.1, 3 to 5 from alienating the suit schedule properties till disposal of the suit. Plaintiffs stated in their plaint that, the suit schedule property are the ancestral joint family properties and the defendant No.1 without having any rights she gifted the entire suit schedule properties in favour of Defendant No.2 without any partition.

The Plaintiffs have also their fixed share over the suit schedule property. The Defendant No.1 and 3 to 5 are trying to alienation of the suit schedule

OS 31/2026

properties due to their name appeared in the ROR with an intention to deprive the rights of the Plaintiffs.

Hence, plaintiffs have prays to restrain the defendants or anybody on their behalf from alienating the suit schedule properties in any manner till disposal of the suit.

At this stage the averments and documents to deficit the same. After perusal all the materials at this stage the court is satisfied about the establishment of prima-facie case and balance of convenience is in favour of the plaintiffs. If an ex-parte order of temporary injunction is not granted, situation will arise which might be put the plaintiffs into hardship by the time the dispute is closed. Hence, the following:

:: ORDER ::

The defendant No.1 and 3 to 5 are anybody on their behalf are hereby restrained from alienate the suit schedule properties till the next date of hearing.

OS 31/2026

Plaintiffs are directed to comply the order as contemplated U/o 39 Rule 3(a) of CPC.

Issue TI Notice Defendant No.1 and 3 to 5 and S/s to all defendants.

R/by 16-04-2026.

**Senior Civil Judge & JMFC.,
Chincholi.**