

**ORDER ON IA-I FILED U/O 39 RULE 1 & 2 OF CPC BY THE Plaintiff**

**1.** This is an interlocutory application No I filed by the Plaintiff seeking for temporary injunction order restraining the defendants from alienating, mortgaging or creating charge over the suit properties in any manner till disposal of the suit.

**2.** The interim application is accompanied with an affidavit sworn by the Plaintiff wherein he has sworn that, he had filed the suit seeking the relief of partition and separate possession in respect of suit schedule

properties and for correction of revenue records. It is stated by the Plaintiffs that the defendants is trying to alienate the suit schedule property to others though the suit schedule properties are joint family properties of Plaintiffs and defendants. If the defendants is permitted to alienate the suit schedule property, then the Plaintiffs will suffer irreparable loss which cannot be compensated in terms of money or otherwise. Thus the Plaintiffs sought for the relief of exparte ad interim injunction order as against the defendants in the application.

**3.** Heard and perused the entire materials on record. Perused the affidavit of the application and the plaint averments. On perusal of the documents produced by the Plaintiff i.e., the record of rights of suit schedule properties depicts the name of defendants Record of rights of suit schedule property shows that the Plaintiff has prima-facie case. Thus on perusal of the plaint averments, affidavit and documents it shows that the Plaintiff have made out prima-facie materials to grant ad interim exparte injunction order. If order of ex-party Temporary injunction is not granted, very purpose of suit will be frustrated. Hence, I proceed to pass the following:

**ORDER**

Issue an ad interim injunction order against the defendants restraining him from alienating the suit

properties in any manner either by sale, mortgage or creating charge till next date of hearing.

Plaintiff to comply with the provisions of Order 39 Rule 3 of Civil Procedure Code,1908.

Issue notice to defendants on I.A.No I and suit summons if process is complied with.

Call on 18-07-2024.

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