

Heard learned counsel Sri R.S.S advocate appearing for plaintiff on I.A.No.1. Perused the materials available on record. I.A.No.1 is filed by the plaintiff under order 39 Rule 1 and 2 of CPC.

I have perused the plaint averments, contents of affidavit along with documents filed by the plaintiff. A perusal of RTC extracts and other records produced by the plaintiff. At this stage I am of the opinion that plaintiff has made out a prima-facie case for grant of ad-interim exparte temporary injunction order to restrain the defendant or any persons claiming through him from alienating, mortgaging or creating any type of the charges over the suit property. If the notice of I.A.No.1 is ordered to be issued then the very object of filing the suit will be defeated by delay in service of the notice. Hence, I am satisfied with the object of granting exparte temporary injunction as prayed for in I.A.No.1 by the plaintiff. Accordingly, I proceed to pass the following;

ORDER

Defendant or any person claiming through him are hereby restrained by an order of ad-interim exparte Temporary Injunction order from alienating, mortgaging or creating any type of the charges over the suit property.

This TI shall be in force till next date.

Plaintiff is directed to comply the mandatory provisions of order 39 Rule 3(a) of CPC.

If plaintiff comply the order, Issue notice of I.A.No.1 and suit summons to defendant.

Office is directed not to Issue certified copy of this order to the plaintiff if plaintiff did not comply the order.

Call on 6/11.

Civil Judge & JMFC,
Jewargi.