

### **Exparte T.I. Order on IA No.I.**

The plaintiff has filed this application U/O 39 Rule 1 and 2 of CPC and sought to restrain the defendants by way of exparte temporary injunction from interfering with plaintiff's possession over the suit property.

The plaintiff has sworn to an affidavit in support of IA and stated that the husband of the plaintiff late Shankar was the absolute owner and possessor of the suit property. The suit property was given to Vishwaganga Education and Rural Development Trust for running Schools and Trust is running School in the suit property. The defendant No.1 and 2 cheated her husband and got executed registered deed from him by intoxicating him in respect of suit plots. The defendants are not having any right in the suit properties. Now on the strength illegal document they are trying to interfere with plaintiff's possession over the suit property. Hence, prays to allow the IA.

Perused the records. Heard arguments.

The copy of the registered sale deed dated 18.06.2015 shows that defendant No.1 purchased open plot No.18 from one Shankar. The copy of the registered sale deed dated: 18.06.2015 shows that defendant No.1 purchased open plot No.19 from one Shankar. The same shows that the defendant No.1 purchased two plots through registered sale deeds for valuable sale consideration amount.

The plaintiff has pleaded that earlier the suit property belonged to her husband Shankar and the same was given to Vishwaganga Education and Rural Development Trust and the said Trust running the School in the suit property. But she has not produced any documents that suit property was given to the said trust. Further, if once suit property was given to the Trust that will be in the possession of the Trust and not in possession of the plaintiff. But in this case the said Trust or its President has not filed the suit but the plaintiff has filed the suit. Since registered documents are executed by husband of the plaintiff in favour of defendant No.1 this Court find it just and proper not to pass any interim orders on IA No.1 before giving notice to the defendants. Hence, the following;

**ORDER**

Office to issue emergent notice of IA No.1 suit summons to defendants through RPAD.

Returnable by 18.09.2025.

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