

Date: 12.11.2024
Plaintiff by Sri. G.S.K. Adv.,
For Orders.

Heard the counsel for the plaintiff on IA-1 filed under Order 39 Rule 1 and 2 of CPC.

Plaintiff filed I.A. No.I U/o 39 rules 1 and 2 of C.P.C. for restraining the defendant NO.1 to 5, or any other person claiming through them from causing interference into the peaceful possession of the plaintiff over the suit property i.e., Sy. No.166/2 measuring 1 acre situated at village Chandapur, Tq.Sedam.

On perusal of the records there is no mention about caveat with regard to the suit property and defendants. The plaintiff has filed this suit for perpetual injunction with respect to the suit schedule property along with I.A.No.I U.O 39 Rule 1 and 2 of CPC for restraining the defendant from interfering into the the suit schedule property.

On perusal of I.A.No.I, affidavit and documents produced by the plaintiff and after going through the said documents and pleadings it appears that the apprehension of plaintiff cannot be rule out and there is prima facie case in favour of the plaintiff. At this stage if defendants are not restrained from causing interference over the suit schedule

property i.e., Sy. NO. 166/2 measuring 1acre situated at village Chandapur, Sedam then the purpose of filing this suit would become infractions and there are every possibility of multiplicity of proceedings.

Hence at this juncture to meet the ends of justice this court deems fit to pass an order of ex-parte temporary injunction. Hence I proceed to pass the following:-

ORDER

The defendants NO. 1 to 5, any other persons claiming through them are hereby restrained from causing interference over the suit schedule property i.e., Sy. NO. 166/2 measuring 1 acre situated at village Chandapur, Tq:Sedam till next date of hearing.

Plaintiff shall comply with provision of under Order 39 Rule 3 of C.P.C.

Office is hereby directed to issue order of ex-parte temporary injunction, if order is complied.

Issue notice on I.A.No.I and suit summons to defendant returnable by:04.12.2024.

Sd/-
**Civil Judge & JMFC.,
Sedam**