

ORDER ON I.A No.1 .

The plaintiffs has filed the suit for partition and separate possession. Along-with the suit he has filed the I.A No.1 seeking for grant of exparte TI order.

I have perused the plaint averments and the I.A No.1 annexed affidavit and the documents produced on record. The plaintiffs has filed this suit for Partition and separate possession.

On perusal of the materials placed on record it prima-facie case appears that the plaintiffs has made out grounds for granting exparte TI order. At this stage the plaintiff has got case for trial. It is too premature at this stage to disbelieve the case of the plaintiffs as pleaded by him. In the circumstances it is just that the notice of I.A No.1 has to be dispense with and some interim order has to be passed, otherwise the purpose of the suit will be defeated.

The exparte temporary injunction is granted against the defendant No. 4 not to alienate the suit properties as described in the I.A. No.1 in any manner till the appearance of the defendant.

The plaintiffs to comply Under Order 39 Rule 3A of CPC. The office to issue certified copy of the order to the plaintiff, only if the TI order is complied. On the compliance of the same the T.I order and the notice of I.A No.1 and suit summons to defendant No. 4 suit summons to defendant No.1 to 3 returnable by 01-03-2023.

Senior Civil Judge,
Kushtagi.