

ORDERS ON IA NO.I

*This is a suit filed by the plaintiff against the defendants for the relief of permanent injunction. The I.A.No.1 is filed by the plaintiff under **Order 39 Rule 1 and 2 r/w Sec.151 of CPC** seeking an ad-interim order of temporary injunction restraining the defendant No.5, their subordinates, officers from releasing the schedule policy amount in favour of the defendant No.1, till pending disposal of the suit.*

2. The application is supported with the affidavit of the plaintiff. I have gone through the affidavit and the documents produced by the plaintiff. The notice issued by the plaintiff clearly shows that there is no relationship of deceased Chikkamma with her nominee by name Anilkumar. In support of the same the plaintiff has furnished the plaint copy filed by the defendant No.4 in O.S.No.15/2016, which does not contain the name of said Anil Kumar. Further, defendant No.5 not denied the insurance policy of deceased Chikkamma. At this stage, I am of the view that the plaintiff has made out prima-facie case and

urgency in this matter. Hence, I proceed to pass the following:

ORDER

The IA.No.I filed by the plaintiff is hereby partly allowed.

The defendant No.5, their subordinates, officers are restrained from releasing the schedule policy amount in favour of the defendant No.1 as well as the nominee by name Anil Kumar, till next date of hearing.

The plaintiff is hereby directed to comply the exparte temporary injunction under the provision of Order 39 Rule 3 of CPC without fail.

Issue suit summons, notice on I.A.No.1 and temporary injunction order to defendants after compliance.

Returnable by:-

*Prl. Civil Judge,
Malavalli.*