



ORDERS ON IA NO-I

The present suit is filed seeking for the relief of Declaration and Injunction against the defendant.

2. The plaintiff has also maintained an application u/o 39 Rule 1 and 2 R/W/Sec.151 of CPC seeking for grant an ad-interim exparte order of temporary injunction against the defendant restraining him from alienating the suit schedule property pending disposal of the suit.

3. In support of his case, the plaintiff has also furnished certified copy of sale deed, M.R. Copy, handwritten RTC extract and computerized RTC extract to establish his prima facie case.

4. On perusal of plaint averments and suit documents, the plaintiff has alleged that he has purchased the suit property through registered sale deed in the year 1979 on his behalf and also on behalf of his minor brother defendant. Now, the defendant after attaining majority obtained khatha in his exclusive name and got mutated his name in the RTC. Taking advantage of the same the defendant is making hectic effort to alienate suit property and trying to dispossess the plaintiff. In the event the defendant alienate suit property and creates third party interest, certainly it will effects the right of plaintiff in the suit schedule property. Under these circumstances, I am of the opinion that, at this stage the plaintiff has made out a case to grant an ad-interim exparte

order against the defendant in order to restrain the defendant from alienating the suit schedule property pending disposal of suit until next date of hearing. Hence, this court pass the following

ORDER

Issue exparte ad-interim temporary injunction against the defendant restraining him from alienating or creating third party rights in the suit schedule property pending disposal of suit until next date of hearing.

The plaintiff shall complies Order 39 Rule 3(a) of CPC.

Issue TI Order after compliance.

Issue suit summons to defendant and TI notice on IA No-I to the defendant. R/by 30.06.2022.

**(Girigowda B.)
Civil Judge & JMFC.,
Nagamangala.**