

KAMD720001232009



Date:08.04.2026

FDP No.08/ 2009

ORDERS ON IA NO. 13

Case called out.

Heard the Learned counsel for the respondent no.4 on IA No.13. Heard learned counsel for respondent No.4 on IA.13. perused plaint averments, IA, affidavit and documents. The petitioner has filed this petition against the respondents seeking for final decree proceedings.

I.A.No.13 is filed under the provisions of Order 39 Rule 1 and 2 of CPC, seeking ad-interim exparte temporary injunction.

On considering and assessing the plaint averments, IA, affidavit and documents placed on records, at this stage of the litigation this court is of the considered view that the respondent no.4 has made out prima-facie case. Therefore it is just and necessary to pass an exparte an order on IA No. 13 by dispensing the issuance of notice on IA No.13 to the respondent No.3. Otherwise the very purpose of filing of this suit and IA No.13

would be defeated. Hence, I proceed to pass the following:

ORDER

Respondent No.3 is hereby restrained from alienating the Item No.3 of the suit schedule property in any manner, till filing of his objection.

The petitioner's side arguments on this IA shall be concluded within 30 days from the closer of the stage of objection to IA.13,. Otherwise this order will be cancelled automatically. Hence the respondent No.4 is directed to comply the mandatory provisions of order 39 Rule 3A of CPC.

The respondent No.4 is directed to comply the mandatory provisions of order 39 Rule 3(a) of CPC.

Issue notice of IA No.13, TI order to respondent No.3 after compliance.

R/by 24.04.2026

Prl. Civil Judge & JMFC,
Srirangapatna