

Plaintiff absent. Defendants absent.

Heard the arguments on IA under Order 39 rule 1 and 2 C.P.C for

ORDER

The present suit was filed by the Plaintiff for specific performance of contract directing the Defendants to execute the registered sale deed in favour of the Plaintiff in pursuance of agreement alleged to have executed on 16.11.2018 and also filed application under Order 39 Rule 1 and 2 C.P.C for temporary injunction against the Defendants restraining the Defendants from alienating in suit schedule property pending disposal of the suit. The Plaintiff produced the agreement dated 16.11.2018 alleged to have executed by the Defendant No.1 to 3. The delay defeats grant of temporary injunction. Therefore it can be said that the Plaintiff has made out prima facie case at this stage to grant temporary injunction till next date of hearing. In the result I proceed to pass the following

ORDER

Issue Temporary Injunction against the Defendants restraining them from alienating the suit schedule property till next date of hearing.

The Plaintiff is directed to comply under Order 39 rule 3 C.P.C.

Issue Temporary Injunction against the Defendants if Plaintiff complied under Order 39 rule 3 C.P.C.

Com.OS 46/2023

Issue Suit summons and IA notices to the Defendants returnable by 03.03.2023.

for appearance of Defendants.

Call on 03.03.2023.

II Addl. District & Sessions,
Judge, Mysuru.