

Heard the counsel for plaintiff on I.A No.I.

O R D E R

Perused I.A.No.I and the documents enclosed in support of I.A.No.I. The plaintiff has filed the suit against the defendants for

the relief of declaration and mandatory injunction. It is her claim that the gold ornaments given to her by her parents are her Stridhana property, but the defendant No.1 who is her husband has taken the same forcibly and pledged the same with the defendant No.2 bank and obtained loan. It is her plea that the defendant No.1 has not paid the installments as such the defendant No.2 has notified in a Newspaper that they will auction the gold ornaments pledged by the defendant No.1. Now at this stage this court cannot look into the merits of the suit. That is to be decided at the time of trial. At this stage, if the defendant No.2 is allowed to auction the gold ornaments pledged at account No.GL 0000000208339 standing in the name of defendant No.1 the very purpose of the I.A will be defeated, and it will lead to multiplicity of proceedings. Therefore, issuance of notice of I.A.No.I is dispensed with. Accordingly, I proceed to pass the following:-

ORDER

Defendant No.2 is restrained from auctioning the gold ornaments pledged by the first defendant under account No.GL 0000000208339 and to retain the possession of the same till the next hearing date.

Plaintiff to comply Order 39 Rule 3 of CPC. Issue T.I. order to defendant No.2 in respect of I.A.No.I and Issue notice on I.A.No.1 to defendant No.2 and suit summons to defendant Nos.1 to 2 by hand.

Returnable by: 09-07-2025.

(PREETH.J)
Prl. Sr. Civil Judge & CJM.,
Belagavi.