

Heard Sri.KSD Advocate for plaintiff. Perused the plaint averments, the application I.A.1 filed under order 39 rule 1 & 2 of C.P.C. along with the accompanying affidavit filed in support of the application together with the suit documents. The plaintiff has filed this suit against defendants seeking **partition** and separate possession. pAs an ancillary relief, the plaintiff has sought exparte ad-interim order of T.I. restraining the Defendants from alienating the application schedule properties pending disposal of the suit.

Considering the nature of the suit and the interim orders prayed on the basis of the documents filed along with the plaint, I am of the opinion that ordering notice to opponents would delay proceedings and results in the suit becoming infructuous in the event of the opponent are creating any encumbrance, executing any deeds with respect to schedule property, which will also lead to multiplicity of proceedings. In the light of the apprehension of the plaintiff that the defendants are making attempting to alienate the schedule property. Hence, preserving the said properties in the same state is necessary. Otherwise, the case of the plaintiff would be frustrated. Hence, I proceed the pass the following:

ORDER

Issue Ad-interim of exparte order of T.I. Restraining the Defendants from alienating the application schedule properties till further order.

Plaintiff to comply order 39 rule 3(a) If compliance is reported, issue TI order and suit summons to defendants returnable by : **15.04.2020.**

Senior Civil Judge, K.R.Nagar.