

Dated:21.04.2023.

ORDERS ON IA NO.I

The Plaintiff has filed this suit for declaration that, she is the absolute owner in possession and enjoyment of the suit schedule property and also sought for further relief of Permanent Injunction.

Along with the suit, Plaintiff has filed I.A.No.I Under Order 39 Rule 1 and 2 of CPC, seeking temporary injunction restraining the Defendants from alienating the Plaintiff schedule properties in any manner till pending disposal of this suit.

Heard the learned counsel for the Plaintiff and L/C for Defendant. Perused the records placed by the both the parties.

The Plaintiff has produced Assessment extract, Tax paid receipts, copy of the alienation order passed by A.C. Hunsuru, 3 copies of Registered Sale Deeds, RTC of Sy.No.118/D4, Police endorsement, plan, 3 photos with one CD etc., alleged to be pertaining to the suit schedule properties.

The Defendants have also produced certified copies of the Sale Deed, Copy of the Judgment and Decree in O.S.No.119/2017, MR extract, RTC, Order copy of the W.P.No.5624/2021 (KLR-RES), application giving D1 to District Commissioner Mysuru, Letter issued by District Commissioner Mysuru, Copy of the order in C.C.C.No.910/2020, compliance affidavit, RTC of Sy.No.147 and MR extract etc., alleged to be pertaining to the W/S schedule properties.

It appears that, both the parties are claiming title and possession to the suit schedule property and written statement schedule property. Without going through the documents of both the parties in detail it can not be ascertained that, who have made out prima facie case. Both the learned counsels have completed arguments on IA No.I today by 4.20 pm. Much time is required for studying pleadings and documents of both the parties. Considering the commencement of Civil vacation and paucity of time in considering the matter, the Court is of the opinion that, if an order status quo is passed it will not cause any injustice any of the parties of the suit. Hence, I pass the following :-

ORDER

All the parties to the suit are directed to maintain status quo as it exists today till the next date of hearing.

For considered order on IA No.I by 01.06.2023.

Sr CJ & JMFC.,
K.R.Nagar.