

O.S. 49/2026

ORDER ON IA NO.1 FILED U/O 39 R-1 AND 2 OF CPC

IA No.1 is filed by the applicants/plaintiffs U/o 39 R-1 and 2 of CPC seeking an ad-interim ex-parte order of temporary injunction restraining Defendant, his agents, servants, relatives, well-wishers and persons claiming under him from causing any alienation in respect of the application schedule property pending disposal of the above suit, in the interest of justice and equity.

2. Heard the learned counsel for the applicants/plaintiffs. Perused the plaint averments, affidavit, annexed to IA No.1 and also other materials placed before this court.

3. The above suit is filed by plaintiffs against defendant for the relief of Declaration and Injunction and other reliefs.

4. Further as per the endorsement made in order sheet there is no caveat pending in respect of schedule property.

5. At this stage the applicants/plaintiffs have made out sufficient grounds and prima-facie case so as to protect their right and interest over the application schedule property. The very object of granting injunction would be defeated by delay if the relief sought is not granted in favour of the plaintiffs. Hence, in the opinion of this court notice on IA No.1 to defendant as contemplated U/o 39 R-3 of C.P.C. is hereby dispensed with. Hence, this court proceed to pass the following:

ORDER

Defendant, his agents, servants, relatives, well-wishers and persons claiming under him are hereby restrained from causing any alienation in respect of the application schedule property by way of an ad-interim ex-parte temporary injunction order.

This order shall remain in force till defendant filing his written statement and objections.

Office is directed not to issue the certified copy of this order until compliance of order 39 R-3 of CPC.

Issue orders on IA No.1 along with suit summons to defendant.

Returnable by: 07.03.2026.

(Chandan.S)
Prl. Civil Judge & JMFC.,
K.R.Nagar.