

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

1. IA No.1 is filed by the applicant/plaintiff U/o 39 R-1 and 2 of CPC seeking an ad-interim ex-parte order of temporary injunction restraining defendant, his agents, his servants, his legal representatives from interfering with the peaceful possession and enjoyment of application schedule property pending disposal of the above suit in the interest of justice and equity.

2. Heard the learned counsel for the applicant/plaintiff. 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 plaintiff against defendants for the relief of Declaration and Permanent Injunction.

This court relying upon the decision of Hon'ble High Court of Karnataka reported in **AIR 1976 KAR 67** Held- An injunction cannot be granted in respect of agricultural land without giving notice to defendants.

4. At this stage this court finds it just and proper to hear defendant prior to granting of ad-interim ex-parte

temporary injunction. Hence, this court without further discussion proceeds to pass the following;

Order

Issue Emergent Notice on I.A.No.1
to defendant and also issue summons
to defendant.

Returnable by 30/03/2023

(Gayatri)
Addl. Civil Judge & JMFC.,
K.R.Nagar.