

ORDER 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 order of ad-interim ex-parte temporary injunction restraining defendants or their agents or anybody acting through them from alienating and creating any charges over the application schedule properties pending disposal of present 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 defendant for the relief of Partition and Separate Possession.

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

5. At this stage the applicant/plaintiff has made out sufficient grounds and prima-facie case so as to protect his 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 plaintiff. Hence, in the opinion of this court notice on IA No.1 to defendants as contemplated U/o 39

R-3 of C.P.C. is hereby dispensed with. Hence, this court proceed to pass the following:

ORDER

Defendants, agents or anybody acting through them are thereby restrained from alienating and creating any charge over 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 complied with order 39 R-3 of CPC.

Issue ad-interim temporary injunction order in respect of IA No.1

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

Returnable by 07/07/2023

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