

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

1. 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 to restrain defendants, their legal heirs from creating charge and from alienating and application schedule property in favour of 3rd party pending disposal of present suit in the interest of justice and equity.

2. Heard the learned counsel for the applicants/plaintiffs and 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 defendants for the relief of Specific performance of contract.

4. On careful perusal of affidavit averments, application avernments and documents available on record it go to show that applicants/plaintiffs have got prima facie case on hand.

5. At this stage the applicants/plaintiffs have made out sufficient grounds and prima-facia case so as to protect their right and interest over the application schedule property. In order to avoid multiplicity of proceedings further, the very object of granting injunction

would be defeated by delay. Hence, notice on IA No.1 to defendants as contemplated U/o 39 R-3 of CPC is hereby dispensed with being of the above opinion. Hence, this court proceed to pass the following:

ORDER

Pending disposal of IA No.1 defendants are hereby restrained from defendants, their legal heirs, are hereby restrained from creating charge and from alienating application schedule property in favour of 3rd party by way of an ad-interim ex-parte temporary injunction order.

This order shall remain in force till defendants 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 emergent notice to defendants in respect of IA No.1.

Issue ad-interim temporary injunction order in respect of IA No.1 and also issue suit summons to defendants returnable by: 05-06-2021.

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

