

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 defendants, their men, servants, agents, administrators or assigns or anybody claiming under or through their restrain from alienating either by way of sale, mortgage, exchange etc., or otherwise anyway encumbering the suit schedule property to any 3rd parties 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 Foreclosure of Mortgage and Permanent Injunction.

4. 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 properties. 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 defendant as contemplated U/o 39 R-3 of C.P.C. 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, their men, servants, agents, administrators or assigns or anybody claiming under or through their restrain and persons claiming under them are hereby restrained from alienating the suit schedule properties in favour of 3rd parties by way of an ad-interim ex-parte temporary injunction order.

This order shall remain in force till defendants filing their 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.

Issue emergent notice to defendant on IA No.1 along with suit summons and also issue suit summons to defendant returnable by:
13/03/2023

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