

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

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 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 defendants 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 properties.

**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 properties. 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 have contemplated U/o 39 R-3 of C.P.C. is hereby dispensed with. Hence, this court proceed to pass the following:

**ORDER**

Defendants or anybody acting through them are hereby restrained from alienating and creating any charge over the application schedule properties 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 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 25/10/2023

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