

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 defendant her servants, agents or anybody claiming under her from causing any interference in respect of the application schedule property till the final 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 permanent injunction.

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

ORDER

Defendant or anybody acting on her behalf from causing any interference in respect of the application schedule property by way of an ad-interim ex-parte temporary injunction order.

This order shall remain in force till defendant filing her written statement and objections.

Office is directed not to issue the certified copy of this order until compliance of order 39 R-3 of CPC.

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

Returnable by 08/11/2023

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