

O.S.583/2025

ORDER ON 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 ad-interim ex-parte order of temporary injunction restraining defendants, their agents, servants or anybody acting on them behalf from causing any interference and hindrance in respect of pathway and road which is existed in the schedule Item No.2 to reach Schedule-A property 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 Declaration and Permanent Injunction.

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

5. On careful perusal of affidavit averments and documents available on record it goes to show that, 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, 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, their agents, servants or anybody acting on their behalf are hereby restrained from causing any interference and hindrance in respect of pathway and Road which is existed in the schedule Item No.2 to reach Schedule-A property by way of an ad-interim ex-parte temporary injunction order.

This order shall remain in force till the defendants filing their written statement and objections.

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

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

Returnable by: 05-01-2026.

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