

AD-INTERIM INJUNCTION ORDER

The suit is filed by the plaintiff for the relief of partition and separate possession of his share in the suit schedule properties. Along with the suit I.A.I is filed for temporary injunction.

The learned counsel for the plaintiff argued to grant ad-interim temporary injunction against the defendant No.1 restraining him from alienating schedule properties. The learned counsel further argued that, in case the defendant No.1 alienates the plaintiff schedule properties, the plaintiff would suffer irreparable injuries.

Ad-interim temporary injunction can be granted in extreme circumstances if plaintiff able to prove the very necessity to grant such order. Suppose if the properties are alienated before adjudication of the matter, it would definitely cause injustice to the plaintiff because his valuable right over the properties if any will be spoiled if alienation is made. Therefore, the subject matter of the suit schedule properties is to be kept intact. Therefore, the following:

ORDER

Issue ad-interim temporary injunction against the defendant No.1 preventing him not to alienate the suit schedule properties till the next date of order, if the plaintiff complied the Order XXXIX rule 3(a) of CPC.

Issue suit summons to all the defendants and notice of IA No.I to the defendant No.1, if PF is paid.

Call on

Senior C.J. & JMFC.,
Nanjangud.

28.11.2024