

Perused the pleadings and documents produced. The plaintiffs have filed this suit seeking for the relief of partition and separate possession of their 3/4th share in schedule item No.1 and 1/5th share in schedule item Nos.2 to 4 properties. The temporary injunction claimed is to restrain the defendants from alienating the item No.4 schedule property pending disposal of the suit. Considering the materials placed on record, the prima facie case is made out at this stage. If the exparte order of temporary injunction is not granted the very purpose of the suit getting defeated by reason of delay and the rights claimed by the plaintiffs getting jeopardized cannot be ruled out. Hence, it is necessary to dispense with the mandatory prior notice contemplated by law. Hence I proceed to pass the following :

ORDER

The defendants are restrained from alienating the item No.4 suit schedule property in any manner until the next date of hearing, by way of exparte ad-interim order of temporary injunction.

The Plaintiffs are directed to comply with the Order 39 Rule 3 of C.P.C.

Issue exparte temporary
injunction order in respect of item No.4
suit schedule property against
defendants with notice on I.A. No.1 and
Suit Summons to the defendants if
proper PF paid and sufficient copies
furnished and if the above order is
complied with returnable by
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Senior C.J. & JMFC.,
Nanjangud.

21.12.2023