

ORDERS

The plaintiff has filed this suit against the defendants for the relief of permanent injunction in respect of the suit schedule property.

The plaintiff has filed I.A.No.II Under Section 80(2) of C.P.C., praying for dispensation of statutory notice to the defendants and permit him to institute the suit. If dispensation of statutory notice is not allowed, the very purpose of filing of the suit will be defeated.

The plaintiff has filed I.A.No.III Under Section 295 of Karnataka Panchayath Raj Act, 1993 praying for dispensation of issuance of statutory notice to the defendant No.4 and permit him to institute the suit. If dispensation of issuance of statutory notice to the defendant No.4 is not allowed, the very purpose of filing of the suit will be defeated.

Heard learned counsel for the plaintiff and perused the materials available on record.

It is found from the affidavit of I.A.No.II & III that, the matter in question is very urgent in nature. The plaintiff has filed the above suit for the relief of permanent injunction. If prior notice has not been dispensed, the purpose of filing the suit would be defeated and also it would cause hardship and inconvenience to the plaintiff. Hence, dispense with the statutory notices under section 80(2) of C.P.C

and Under Section 295 of Karnataka Panchayath Raj Act are very much essential. Therefore, I am of the opinion that, if the I.A.No.II & III are not allowed, the very purpose of the suit will be defeated. Therefore, by considering the facts and circumstances, I proceed to pass the following:-

:: ORDER ::

I.A.No.II filed under Section 80(2) of C.P.C and I.A.No.III Under Section 295 of Karnataka Panchayath Raj Act are hereby **allowed**. Issuance of statutory notice to the defendants and defendant No.4 before passing of ad-interim temporary injunction order is dispensed with.

Issue summons to defendants through R.P.A.D, if PF and R.P.A.D furnished.

R/by: 24.03.2025.

**Addl. Civil Judge & J.M.F.C.,
T.Narasipura. ****