

ORDERS

The plaintiffs have filed this suit against the defendant for the relief of declaration and permanent injunction in respect of the suit schedule property.

2. The plaintiffs have filed I.A.No.II U/O.39, Rule 1 and 2 of C.P.C., praying to grant ex-parte ad-interim temporary injunction order in favour of plaintiffs and against the defendant or any other person acting on her behalf from not to alienate the suit schedule property in any manner till pending disposal of the suit.

3. The plaintiffs have produced original Sale Deed dated:26.12.1966, copy of Index of land, R.T.C extracts, Photographs and C.D.

4. On perusal of the pleadings and documents filed by the plaintiffs, it is crystal clear that presently the I.A./suit schedule property is standing in the name of defendant, the defendant are trying to alienating the suit schedule property to third person. At this stage, this Court is of the opinion that, the plaintiffs have made out prima-facie case to grant temporary injunction. If temporary injunction is not granted as prayed, the purpose of filing the suit would be defeated and also it would cause hardship and inconvenience to the plaintiffs. Thus, ex-parte temporary injunction may be granted by dispensing with the notice to the defendant on I.A.No.II as the very object of granting injunction

would be defeated by delay if notice is issued. Therefore, by considering the facts and circumstances, I proceed to pass the following:-

ORDER

Issue ad-interim temporary injunction against the defendant. The defendant or any other person acting on her behalf from not to alienate the suit schedule property in any manner till next date of hearing.

The plaintiffs are hereby directed to compliance under Order 39 Rule 3(a) of C.P.C.

Issue T.I Order on I.A.No.II and suit summons to the defendant.

Returnable by:

**I/c Civil Judge & J.M.F.C.,
T.Narasipura. ****