

Counsel for plaintiff present.
Heard on I.A No.II. For orders.

ORDER

Heard Advocate for Plaintiff on I.A.No.II.

Perused the plaint averments, documents and affidavit filed in support of I.A.No.II.

I.A.No.II is filed U/o.39 Rule 1 and 2 C.P.C claiming an order of ad-interim order of temporary injunction.

Plaintiffs filed suit for permanent injunction against the defendants to restrain them from causing interference with respect to peaceful possession and enjoyment of the suit property. It is alleged that, the plaintiffs are the owners and in peaceful possession of the suit property by virtue of family partition and accordingly they have mutated their names in the revenue records. The defendants are not having any rights, title or interest over the suit property. Under these circumstances the defendants kept an evil eye over the suit property and in the malafied intention to grab the suit property, they were causing interference with respect to the peaceful possession and enjoyment of the suit property by the plaintiffs. Therefore, plaintiffs have lodged complainant against defendants before T.Narasipura P.S and the same is went on vain

-

and they have requested the defendants not to continue in their venture, but they have not heeded their words and continued in their venture. The apprehension of the plaintiffs is that, if the defendants are continued in their venture, then they will be put to hardship and jeopardized. Hence, this present I.A.

By considering the materials on record at this stage, I found an arguable case to pass an interim order on I.A.No.II.

In view of the urgency and apprehension shown by Plaintiff, I feel that an exparte interim order has to be passed on I.A.No.II by dispensing with the notice to the defendants. Hence, I proceed to pass the following interim order on I.A.No.II.

ORDER

Exparte Temporary Injunction is granted as prayed in I.A.No.II.

The defendants are hereby restrained from in any manner causing interference with respect to peaceful possession and enjoyment of the suit property by the plaintiffs.

The order shall be in force till next date of hearing.

Issue Exparte order of temporary injunction if provision of order 39 Rule 3(a) & (b) of C.P.C is complied with.

After due compliance issue emergent notice on I.A.No.II, T.I Order and suit summons to the defendants.

For appearance of defendants by :
23.08.2024.

Civil Judge & JMFC.,
T.Narasipura.