

ORDERS

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

2. The plaintiff has also 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 against the defendants, their agents, servants or anybody acting on their behalf by restraining them from interfering with the plaintiff's peaceful possession and enjoyment or causing forcible dispossession with the suit schedule property in any manner till pending disposal of the suit.

3. The plaintiff has produced R.T.C extracts, Aakar Band, Acknowledgment and Endorsement.

4. On perusal of the pleadings and documents filed by the plaintiff, it is crystal clear that, presently possession of the I.A./suit schedule property is standing in the name of plaintiff, the defendants are interfering with the plaintiff's peaceful possession and enjoyment over the suit schedule property. At this stage, this Court is of the opinion that, the plaintiff has 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 plaintiff. Thus, ex-parte temporary injunction

may be granted by dispensing with the notice to the defendants 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 defendants. The defendants their agents, servants or any persons on their behalf are hereby restrained from interfering with the plaintiff's peaceful possession and enjoyment over the suit schedule property in any manner till next date of hearing.

The plaintiff is 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 defendants.

Returnable by:

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