

ORDERS

Plaintiff has filed this suit against the defendants for the relief of Partition and Separate Possession in respect of the suit schedule properties.

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, by restraining their agents, servants or anybody acting under them from alienating the plaint/application schedule properties in any manner till pending disposal of the suit.

3. The plaintiff has produced the copy of Mahazar, copy of R.T.C extracts, copy of Orders passed by the Tahasildar, copy of copy of Application, copy of sketch, copy of R.R.T application No.108/1988-98 dated:10.09.1988, copy of Mortgage deed, copy of Mutation register, Notarized copy of Genealogical tree.

4. On perusal of the pleadings and documents filed by the plaintiff, it is crystal clear that presently the I.A./suit schedule properties are standing in the name of defendants, the defendants are trying to alienating the suit schedule properties. 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. Defendants, their agents, servants or any persons on their behalf are hereby restrained from alienating the I.A./suit schedule properties 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: 03.08.2022

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