

Heard.

ORDERS ON IA No.I

The plaintiff has filed the above suit against the defendants for the Partition and Separate possession against the defendants. The above I.A is filed U/o 39 Rule 1 & 2 and U/s 151 of C.P.C., by praying to restraining the respondents/defendants No.1 and 2, their successors, heirs and any person or persons claiming through them

from alienating the suit lands/portion of the suit lands, in any manner till disposal of suit.

Heard Arguments submitted by Counsel for plaintiff.

I have perused the plaint averments, I.A. No.I, annexed affidavit, List with 32 documents .

On perusal of the above said materials it prima-facie appears that the plaintiff has got case to go for trial, it is too premature to disbelieve the apprehension of the plaintiff as pleaded in the IA. In the circumstances it is just that by dispensing the issue of notice on I.A. No.I some interim order has to be passed otherwise the very purpose of filing the suit by the plaintiff may not served to him.

Hence, issue ad-interim temporary injunction against the defendants restraining the respondents/defendants No.1 and 2, their successors, heirs and any person or persons claiming through them from alienating the suit lands/portion of the suit lands, in any manner till the next date of hearing.

O.S.No.23/2023

Plaintiff to comply order 39 rule 3A of CPC, on compliance issue T.I. order to defendants No.1 and 2, Issue Suit summons to the defendants if P.F. is paid.

Call on: 20-02-2023.

Sr. C.J. & J.M.F.C.,
Devadurga.