

Heard.

ORDERS ON IA No.I

The plaintiffs have filed the above suit against the defendants for the Partition and Separate possession. 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 defendant No.1

from alienating the suit schedule property in favour of any other persons till the disposal of the suit.

Heard Arguments submitted by Counsel for plaintiff.

I have perused the plaint averments, I.A. No.I, annexed affidavit, List with 09 documents .

On perusal of the above said materials it prima-facie appears that the plaintiffs have got case to go for trial, it is too premature to disbelieve the apprehension of the plaintiffs 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 plaintiffs may not served to them.

Hence, issue ad-interim temporary injunction against the defendant No.1 restraining the them from alienating the suit schedule property in favour of any other persons, till the next date of hearing.

O.S.No.176/2022

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

Call on: 04-01-2023.

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