

OS 438/2025

Sri. SMV., Advocate files Vakalath for defendant along with objections to IA No.1 and 6 documents as per list.

Sri.BSN Advocate for Plaintiff files an application U/Sec. 151 of CPC with a prayer to extend the T.I. till next date of hearing.

The learned counsel for the defendant orally objected to extend the T.I as the defendant has obtained Ex-Parte Temporary Injunction against one of the family member of the plaintiff in OS No.409/2025.

I have carefully gone through the order sheet in OS No.409/2025, Interim application and photographs produced by the defendant in this case. On perusal of the photographs it reveals that the plaintiff has filed this suit to restrain the defendant from making any kind of further construction in the property which is involved in OS No.409/2025. The defendant has got Ex-Parte Temporary Injunction in her favour against the defendant's family member to restraining them from interfering or obstructing the defendant in the construction work. Accordingly, Ex-Parte Temporary Injunction was granted in favour of defendant on 16.10.2025 in OS

No.409/2025. The plaintiff is well aware of the said fact even though she has not disclosed any thing about the said case in this case. As per the photographs produced by either party it is clear that the property on which the plaintiff has sought Temporary Injunction and the property on which Ex-Parte Temporary Injunction granted in OS No.409/2025 are one and the same. Hence, this court declines to extend Ex-Parte Temporary Injunction granted in this case in favour of plaintiff. By considering the order passed in OS No.409/2025, dated 16.10.2025 this court proceeds to pass the following.

ORDER

IA No.2 filed U/sec. 151 of CPC by the plaintiff is hereby rejected.

The Ex-Parte Temporary Injunction granted on dated 31.10.2025 in favour of plaintiff is hereby vacated.

Posted for arguments on IA No.1.
Call on 01.12.2025

**Prl. Civil Judge & J.M.F.C
Kanakapura**