

The present suit is filed by the plaintiff against the defendants seeking for the relief for declaration of ownership and consequential injunction in respect of suit schedule property. Along with suit plaintiff also maintained application u/o 39 Rule 1 and 2 of CPC restraining the defendants from interfering with possession enjoyment of plaintiff over the suit schedule property pending disposal of suit by way of ad-interim temporary injunction.

In support of his contention, the plaintiff has produced several documents pertaining to suit properties. I have perused the averments made in the affidavit, plaint and documents relied by the plaintiffs. However, at this juncture the court is of the opinion that the intended order cannot be granted without securing the presence of defendant and plaintiff has not make out prima-facie case for grant of intended exparte order at this juncture. It is settled that before granting interim order notice of application shall be served on the other

side. Hence, I proceed to pass the following:-

ORDER

Issue emergent notice of I.A and suit summons to the defendants through ordinary service as well as RPAD if plaintiff has taken proper steps in accordance with law.

Call on: 03.12.2021.

Sd/-

**C/c II Addl. Civil judge & JMFC.,
Kanakapura.**