

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

In support of his contention, the plaintiff has produced several documents pertaining to suit schedule property. I have perused the averments made in the affidavit, plaint and documents relied by the plaintiff. At this juncture, the court is opinion that the intended order cannot be granted without securing the presence of defendants. Moreover, the subject matter in question is agricultural land and it is settled that the court shall issue notice of application to the opposite party before granting injunction as contemplated under order 39 Rule 3 of CPC. 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: 03.02.2022.

Sd/-

**I Addl. Civil judge & JMFC.,
Kanakapura.**