

Perused the pleadings and documents produced. The plaintiff has filed this suit seeking for the relief of specific performance of contract. The temporary injunction claimed is to restrain the defendants 1 to 3 from alienating the suit schedule property during the pendency of the suit. Considering the materials placed on record, the prima facie case is made out at this stage. If the exparte order of temporary injunction is not granted the very purpose of the suit getting defeated by reason of delay and the rights claimed by the plaintiff getting jeopardized cannot be ruled out. Hence, it is necessary to dispense with the mandatory prior notice contemplated by law. Hence I proceed to pass the following :

ORDER

The defendants are restrained from alienating the suit schedule property in any manner until the next date of hearing, by way of exparte ad-interim order of temporary injunction.

The Plaintiff is directed to comply with the Order 39 Rule 3 of C.P.C.

Issue exparte temporary
injunction order in respect of suit
schedule property with notice on I.A.
No.1 and Suit Summons to the
defendants if proper PF is paid and
sufficient copies are furnished and if
the above order is complied with
returnable by

Senior C.J. & JMFC.,
Nanjangud.

27.02.2024