

ORDERS ON I.A. NO.I

The plaintiff has filed IA No.I U/O 39 Rule 1 and 2 R/W 151 of CPC seeking for grant of exparte injunction against defendants.

Heard, perused the plaint. I.A. No.I its enclosed affidavit and documents produced by plaintiff.

The rules of natural justice demand that when an application under order 39 Rules 1 and 2, C.P.C. is made before a court, the person(s) against whom the relief is sought for must be given an opportunity of being heard. But, situation/circumstance may demand immediate interference of the court to pass an order, which if not passed may occasion failure of justice and would defeat the very purpose of making such application.

The plaintiff has made out prima facie case for grant of exparte ad-interim injunction as restrain the defendants from obstruct the use of pathway in the Sy.No.9/3.

In order to avoid the multiplicity of the

proceedings, it is just and necessary to prevent the object of filing of the suit is defeated. Hence notice is dispensed with.

The defendants, their agents, servants, etc., are hereby restrained by an order of interim ex parte temporary injunction as not to obstruct for use of path way in the Sy.No.9/3.

This order shall remain in force till next date. The plaintiff shall comply the order of 39 rule 3 of C.P.C.

Office is directed to issue certified copy if any, only after confirmation of the comply of the above order.

Issue Summons and notice on IA.No.I to the defendant through RPAD. If PF and RPAD furnished.

Call on 30-08-2021

**C/c I Addl Civil Judge & JMFC,
Magadi.**