

ORDER

1. Perused the appeal memo, I.A.No.I filed under Order XXXIX, Rule 1 and 2 of the C.P.C, the connected affidavit sworn by the appellant and the documents appended to the list. The appeal memo is for to set aside the order passed in O.S.No.162/2022 by the Trial Court. The appellant has sought for relief restraining the respondents from interfering with the I.A schedule property, till the disposal of the appeal.
2. At this juncture, Court finds that the prima-facie case is in favour of the appellant. If ex-parte order of temporary injunction is not granted, irreparable injury will cause to the appellant. Issuance of notice at first instance to the respondents will defeat the very purpose of granting temporary injunction. Hence, I pass the following:-

ORDER

The respondents or any persons claiming through them are hereby restrained from interfering with the peaceful possession and enjoyment of the I.A schedule property in any

manner, till next date of hearing.

The appellant shall comply with order XXXIX, Rule 3(a) of C.P.C.

Issue notice on main petition along with notice on I.A.No.I to the respondents. Returnable by 27-06-2025.

(Smt. Deepa.K.R.)
Addl. Senior Civil Judge
J.M.F.C, Sagara.