

ORDER

1. Perused the plaint, I.A.No.I filed under Order XXXIX, Rule 1 and 2 of the C.P.C, the connected affidavit sworn by the plaintiff and the documents appended to the list.
2. The suit is for the relief of partition and separate possession, mesne profits and such other reliefs.
3. The plaintiff has filed I.A.No.I under Order XXXIX, Rule 1 and 2 of the C.P.C, seeking for temporary injunction order restraining the defendant from encumbering and selling the I.A schedule properties in any manner, till pending disposal of the suit.
4. At this juncture, Court finds that the prima-facie case is made out and that the balance of convenience is in favour of the plaintiff. If ex-parte order of temporary injunction is not granted, irreparable injury will cause to the plaintiff. Issuance of notice at first instance to the defendant will defeat the very purpose of granting temporary injunction. Hence, I pass the following:-

ORDER

The defendant is hereby restrained

from encumbering and selling the I.A
schedule property in any manner, till
next date of hearing.

The plaintiff shall comply with
Order XXXIX, Rule 3(a) of the C.P.C.

Issue notice on I.A.No.I and suit
summons to the defendant. Returnable
by 29-08-2025.

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