

Orders on IA.No.1

The plaintiff has sought for exparte interim order to restrain the defendant no.1 from alienating the item no.1 to 9 suit properties.

The plaintiff is the daughter and defendants no.2 is the son of defendant no.1. Defendant no.3 is the purchaser. It is submitted that the entire suit properties is the ancestral and joint family properties standing in the name of defendant no.1. Prima facie, from perusal of RTC, goes to show of these suit properties item no.1 to 9 is not the absolute properties of defendant no.1. Prima facie it is shown that the defendant no.1 has sold item no.10 suit property to defendant no.3 in the year 2023. It is submitted that the consent of plaintiff is not obtained. The plaintiff is also being one of the coparcener, is also having prima facie right to claim for share in the suit properties. In order to avoid multiplicity of proceedings and to stop from causing further hardship, this court proceed to pass the following :

ORDERS

Issue ad-interim exparte order of temporary injunction restraining the defendant no.1 from alienating item no.1 to 9 suit properties till next date.

Plaintiffs to comply U/O 39 Rule 3 of CPC.

Issue notice on IA.No.1 and s/s to defendants by court, on the amended plaint if steps taken.

Call on 02.04.2024.

Sd/-
PCJ & JMFC.