

Case has been advanced.

::ORDER ON I.A.NO.I::

The plaintiff has filed present suit for the relief of Easementary rights against the defendant with respect to suit schedule property.

The plaintiff has filed this IA No.I U/O 39 Rule 1 and 2 CPC to restraining the defendant from obstructing to use of existed 8 feet width road in the south corner of the Sy.No.75/4 to reach plaintiffs' land till disposal of the suit.

I have perused the plaint, I.A.No.I, accompanying affidavit and the documents produced by the plaintiff in support of her case.

On perusal of the documents it appears that plaintiff has made out prima-facie case and balance of convenience lies in her favour. Therefore, this court opines that ordering notice to the opponents would delay the proceedings and results in the suit becoming infructuous and if the application is not allowed, the plaintiff

will be put to hardship and inconvenience and if ex-parte temporary injunction is not granted the very purpose of the suit will be defeated. Hence, I proceed to pass following;

ORDER

The defendant or his agents, servants or anybody acting on behalf of him are hereby restrained from obstructing use of existed 8 feet road in south corner of Sy.No.75/4 to reach plaintiffs' land in Sy.No.75/2, till filing of written statement.

The plaintiff is hereby directed to comply order 39 Rule 3 of CPC.

Office is hereby directed to issue SS and notice of I.A.No.I to defendant and order of ex-parte injunction after compliance r/by 18.04.2026.

Sd/-

Addl. Civil Judge & JMFC.,
Kunigal.