

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

The plaintiff has filed present suit for the relief of partition and separate possession against the defendants with respect to suit schedule properties.

The plaintiff has filed this IA No.I U/O 39 Rule 1 and 2 CPC to restraining the defendant No.3 and 8 from not to put any foundation or alter the nature of the suit properties 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 his case.

On perusal of the documents it appears that plaintiff has made out prima-facie case and balance of convenience lies in his 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 No.3 and 8 or their men of agents of attorneys or anybody on behalf of them from not to put any foundation or alter the nature of suit schedule properties, 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 to defendants and notice of I.A.No.I to defendant No.3 and 8 and order of ex-parte injunction after compliance r/by 21.06.2025.

Sd/-

Addl. Civil Judge & JMFC.,
Kunigal.