

Heard IA No.1 filed U/o 32 R
4 CPC is hereby allowed.

Defendant No.6 is
appointed as minor guardian of
defendant No.8.

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

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

The plaintiffs have filed this IA
No.2 U/O 39 Rule 1 and 2 CPC to
restraining the defendant No.1, 2, 4, 5,
6 and 10 from alienating or creating
any charge over the suit schedule
properties in any manner till disposal
of the suit.

I have perused the plaint, I.A.No.2,
accompanying affidavit and the
documents produced by the plaintiffs in
support of their case.

On perusal of the documents it
appears that plaintiffs have made out
prima-facie case and balance of
convenience lies in their 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

plaintiffs 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.1, 2, 4, 5, 6 and 10 or their agents, servants, attorneys or anybody acting on their behalf from alienating or creating any charge over the suit schedule properties, till filing of written statement.

The plaintiffs are hereby directed to comply order 39 Rule 3 of CPC. Office is hereby directed to issue SS to defendants and notice on I.A.No.2 to defendant No.1, 2, 4, 5, 6 and 10 and order of ex-parte injunction after compliance r/by 18.01.2025.

Sd/-

Addl. Civil Judge & JMFC.,
Kunigal.