

O.S. NO. 326/2024

18.07.2024:

Plaintiff: Sri. H.N.D.

For Orders.

ORDER ON I.A. No.I

Heard the arguments advanced by learned counsel for the plaintiffs.

2. The plaintiffs have filed present suit against the defendants for the relief of Partition and separate possession of their share in respect of suit schedule property.

3. Along with the plaint, the plaintiffs have filed I.A. No.I under Order XXXIX Rule 1 & 2 of C.P.C. seeking for an order of ex-parte ad-interim order of temporary injunction restraining the defendant No.1, his agents, servants or anybody acting on his behalf from alienating the suit schedule property in favour of anybody, in any mode or manner, pending disposal of the suit.

4. Perused the plaint, affidavit averments and the documents produced by the plaintiffs.

5. On going through I.A.No.I, affidavit filed in support of the application and the documents, it appears that, the relief claimed in I.A.No.I is very urgent one and if the summons is issued to the

defendants, the very purpose of injunction would be defeated by delay. Further at this stage, the plaintiffs have made out sufficient grounds to seek an ad interim temporary injunction. Hence, proceeds to pass the following:

ORDER

Defendant No.1 his agents, servants or anybody claiming under him are hereby temporary restrained from alienating the suit schedule property in favour of anybody, till next date of hearing.

The plaintiffs shall comply Order 39 Rule 3(a) and (b) of CPC.

Issue TI order, suit summons and I.A notice to the defendants returnable by:

Sd/-

**Prl. Civil Judge and JMFC.,
Madhugiri.**