

ORDER

The plaintiffs have filed the present suit for the relief of permanent injunction against defendants in respect of the suit schedule properties.

The plaintiff has filed I.A.No.1 Under Order XXXIX Rule 1 and 2 and Sec 151 of C.P.C. praying the Court to pass an order of ad-interim temporary injunction restraining the defendants from interfering in the peaceful possession, occupation and cultivation of the suit schedule properties and restraining them from erecting or repairing existing fencing or compound wall surrounding the survey and Phot Hissa boundaries of their suit lands or in any manner till pending disposal of the suit.

Heard the arguments of learned counsel for plaintiff. Perused the plaint averments and materials available on record which prima-facie discloses that the plaintiff has got a definite case and interest in the suit schedule properties. If the temporary injunction is not granted then certainly purpose of the filing of the suit will be defeated. In order to avoid multiplicity of proceedings and to protect the nature of suit schedule properties and also to secure the interest of the parties to the suit it is just and necessary to pass the following;

ORDER

The defendants are hereby restrained by way an order of ad-interim temporary injunction from interfering in the peaceful possession, occupation and cultivation of the suit schedule properties and restraining them from erecting or repairing existing fencing or compound wall surrounding the survey and Phot Hissa boundaries of their suit lands or in any manner till appearance of defendants.

The Plaintiff is directed to comply with Order XXXIX Rule 3(a) CPC.

Issue Emergent Notice on I.A.No.I and suit summons to the defendants if sufficient P.F. is paid returnable by 03-09-2024

Sd/-

Pr. Civil Judge Karwar.

