

ORDER

Heard, learned Sri. R.R.S., Advocate for plaintiff on I.A.No.II U/Order XXXIX Rule 1 and 2 R/w Sec.151 of CPC.

The plaintiff has filed this suit against the defendants for the relief of Mandatory and Permanent injunction in respect to suit schedule property.

The plaintiff also sought for ad-interim ex-parte temporary injunction in I.A No.II against the defendants, restraining them, their agents or any person claiming through or under them from in any manner obstructing or interfering with the Plaintiff's use of the Schedule 'B' Road, and further directing them to forthwith remove the red laterite stones, heaps of sand and other materials dumped at the deviation point where the road turns eastwards adjoining the Plaintiff's compound wall, thereby restoring free vehicular and pedestrian access to the Plaintiff's residential house, pending disposal of the above suit, in the interest of justice and equity.

Perused the plaint averments documents and affidavit filed in support of I.A.No.II, photographs and documents produced by the plaintiff.

By considering the materials on record at this stage, this court found that it is an arguable case for having to pass an ad-interim temporary injunction order on I.A.No.II against the defendant No.1 to 6, therefore in view of the urgency and apprehension shown by the plaintiff and in order to avoid multiplicity of proceedings and also in the

interest of justice, this court feels that an ex-parte ad-interim order has to be passed on same, hence, I proceed to pass the following:-

ORDER

Ad-interim temporary injunction is granted as here below.

Accordingly herein after, the defendant No.1 to 6, their agents or any person claiming through or under them restrained from causing obstruction to the plaintiff in using road in 'B' schedule property of the plaintiff and defendant No.1 to 6 are also directed to maintain status-quo in respect to the nature of road in 'B' schedule property as shown in the photographs produced by the plaintiff which said to be taken on 06-03-2026 till the next hearing date.

Therefore the plaintiff is directed to comply the order XXXIX Rule 3 of CPC on or before 09-03-2026 after due compliance, issue emergent notice to defendant No.1 to 7 on I.A. No.II and issue suit summons to the defendant No.1 to 7, if necessary PF paid.

For appearance of defendants
by 25-03-2026.

Sd/-
Addl.Civil Judge and
J.M.F.C., Bhatkal