

**ORDER ON IA No.III**

The present IA No.III is u/o 39 rule 1 and 2 filed by applicant/ plaintiff seeking ad-interim exparte Temporary Injunction restraining the defendant from alienating and creating any charge or mortgage over the suit schedule properties.

In the affidavit, it is stated that the defendant trying to alienate or creating charges mortgage over the suit schedule properties. Hence, prays to grant ad-interim or exparte TI order in favour of plaintiff.

Heard arguments and perused material records.

Present suit is for Partition and Separate Possession. Hence, considering the reasons stated in the affidavit and to defeat the delay and to prevent the multiplicity of proceedings, I am of considering view that add-interim exparte TI order is to be granted in favour of plaintiff till the appearance of the defendants before the Court.

Hence, I proceed to pass the following;

**ORDER**

The IA No.III u/o 39 rule 1 and 2 of CPC is hereby allowed.

The ad-interim exparte TI Order is granted in favour of plaintiff till the appearance of the defendant.

The Defendant and his agents, servants or any person acting

on his behalf are hereby restrained temporarily from alienating and

creating charges or mortgage over the suit schedule properties till his appearance before the Court.

The plaintiff is directed to issue notice to defendants through RPAD for compliance u/o 39 rule 3 of CPC.

Issue S/S to defendant.

Call On: 12-01-2024.

Sd/-

*Senior Civil Judge,*

*Bhatkal.*