

The learned counsel for plaintiff has filed I.A.No.1 U/o 39 rule 1 and 2 r/w sec. 151 of CPC., seeking an order of ad-interim injunction to restraining the defendant from sale, alienate, mortgage or deal in any manner with respect of the suit property till disposal of the suit.

Heard the Learned counsel.

I have perused both I.A.No. 1 and annexed affidavits and plaint averments and documents produced by the plaintiff. The plaintiff has filed the suit against the defendant for the relief of Specific performance.

At this juncture, the plaintiff has produced sale agreement executed between the plaintiff and defendant, legal notice, Postal acknowledgment, the public notice with respect of suit property and Sale deed executed between K.H.B and defendant with respect of suit property. Looking into the same, it appears to the Court that there is a prima facie case, as such if the defendant is not restrained by an order of temporary injunction to restraining the defendant from alienate, transfer or mortgage or deal on the suit property and if the defendant is not restrained by an order of temporary injunction restraining the defendant from sale, alienate, mortgage or deal in any manner with respect of the suit property till disposal of the suit then the purpose of filing the suit itself would be defeated. The issuance of notices to the defendant on I.A.No.1 may delay the object of granting ad-interim temporary injunction. Hence, Temporary injunction granted. Issue T.I., orders and notices on I.A.No.1 against defendant and to issue suit summons to defendant. The T.I. orders shall inforce till next date of hearing.

The plaintiff to comply orders on I.A.No. 1 as per order 39, Rule 3(a).

Returnable by: 27/11/2017.

Civil Judge & J.M.F.C.,

## Dandeli