

KAUK510014422025

**ORDER**

The plaintiff has filed this suit for permanent injunction against the defendant along with I.A.No.I under Order XXXIX Rule 1 and 2 of C.P.C praying to grant ex-parte ad-interim temporary injunction restraining the defendant, his henchmen or any person acting on his behalf from obstructing the peaceful possession and enjoyment of the suit property by the plaintiff till the disposal of this case, in the interest of justice and equity.

The plaintiff stated that, he has filed this suit for the relief of permanent injunction against the defendant. The defendant without having being any right, title, interest over the suit property owned by him trying to obstruct peaceful possession and enjoyment of suit property by him. The defendant colluding with the revenue officials has survey the suit property and other properties and created some documents including some maps and as per the created documents and maps, the said survey No.20B/71 situated at Ajamanal Village is converted into Block No.36 of Venkatapur Village as per the survey order No.10030125463693 dated 20.06.2025 and as per the said survey, the defendant asserting his right in respect of suit property. Hence, he has filed this application for

restraining the defendant not to cause any obstruction and peaceful possession and enjoyment of the suit property by him. The defendant is financially and politically powerful person under the guise of his influence further trying to dispossess him from the suit property. The illegal acts of the defendant is continuing one. The defendant is not restrained from causing obstruction peaceful possession and enjoyment of his property, he will be put to much injustice and inconvenience and if the same is restrained by issuing ad-interim temporary injunction no harm or loss will be caused to the other side. He has strong prima-faice case and balance of convenience lies in his favour and he has fair chance of success in the case. He stated that to hear and dispose off the case it will take much time. With these contentions, the plaintiff prayed to allow the application.

Heard and perused the documents i.e., RTC extract with respect to Survey No.36/** of Venkatapur Village for the year 2025-2026, RTC extract with respect to Survey No.20/B/71 of Ajamanal Village for the year 2012-13, RTC extract with respect to Survey No.35/** of Venkatapur Village for the year 2024-2025, RTC extract with respect to Survey No.20/B/43 of Ajamanla Village for the year 2012-2013, Notice, Hudbust survey map, copy of statement, certified copy of Judgment in W.P No.100536/2022 (KLR-RES), copy of Requisition Letter, copy of Form No.57.

On perusal of entire records and documents, the suit property is an agricultural land, before passing any order, the defendant needs to be heard. Therefore, it is proper to issue notice to the defendant on I.A. No.I.

Hence, Issue emergent notice on I.A.No.I and suit summons to defendant.

Call on 28.11.2025.

**Civil Sd/-
Judge & JMFC.,
Haliyal**