

KAUK510016512025



ORDER

The plaintiff filed this suit for the relief of permanent injunction along with I.A.No.I under Order 39 Rule 1 and 2 R/w Section 151 of C.P.C praying to grant ex-parte ad-interim temporary injunction against the defendants restraining them, their agents, henchmen or any other person acting on their behalf from obstructing the plaintiff peaceful possession, use and enjoyment of the suit property, till disposal of this suit, in the interest of justice and equity.

The plaintiff stated that, she is the absolute owner of the agricultural land bearing Block No.80/4A, which is measuring 2 acres 32 gunthas situated at Kalaginakoppa Village, Haliyal Taluka, Dist: Karwar by virtue of Gift deed executed by Shivanand Polisagoudra in favour of her on 22.02.2022. Now, her name duly entered in the revenue records and she is in the peaceful possession, enjoyment of suit property by cultivating the same by paying regular taxes to the competent authority.

She further stated that, the defendants are having no manner of right whatsoever in the suit property, in the first week of the November 2025,

with oblique intention are trying to enter the suit property forcefully and trespass over the same. They are continuously obstructing the peaceful possession, use and enjoyment over the suit property. Therefore, she apprehends eminent danger to her peaceful possession over the suit property. She is having a good prima-facie case and balance of convenience exclusively liens in her favour. The defendants succeed in their illegal act to obstruct her peaceful possession in suit property, the very purpose of filing the suit will be frustrated leading to multiplicity proceedings. No loss or hardship will be caused to the other side, if the present application is allowed, on the contrary, she will be put to irreparable loss and great hardship if the same is rejected. With these contentions, the plaintiff prayed to allow the application.

Heard and perused the documents i.e., MR No.H5/2013-2014, MR No.H17-2021-22, RTC extract of land bearing Survey No.80/4A of Kalaginakoppa Village, Sambrani Hobli for the year 2020-21, RTC extract of land bearing Survey No.80/4A of Kalaginakoppa Village, Sambrani Hobli for the year 2025-26, xerox copy of General Power of Attorney dated 27.12.2021, xerox copy of Gift deed dated 12.01.2022, RTC extract of land bearing Survey No.80/4A of Kalaginakoppa Village, Sambrani Hobli for the year 2021-22, xerox copy of Survey Sketch and Photo.

On perusal of entire records and documents, the suit property is an agricultural land, before passing

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any order, defendants need to be heard. Therefore, it is proper to issue notice to the defendants on I.A. No.I.

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

Call on 05.01.2026.

Sd/-

**Civil Judge & JMFC.,
Haliyal**