

Case taken on board.

Heard counsel for the plaintiff on IA No.I to III.

Plaintiff filed this suit seeking possession and permanent injunction against defendant. Plaintiff trust filed this application seeking add interim injunction to restrain defendant from renovating existing building in the suit schedule property and to restrain him from constructing new building in the suit schedule property till disposal of this suit.

He relied upon RTC pertaining suit schedule property standing in the name of plaintiff, Trust-deed and survey sketch to show that the plaintiff is the owner of suit schedule property. He has produced resolution held in plaintiff's trust regarding interference by the defendant to construct building in the suit schedule property.

Counsel for the plaintiff argued that defendant has collected building materials to renovate the house situated in the suit schedule property. The said house belonged to plaintiff. Without any right, title or interest defendant is going to renovate the said house. Hence, plaintiff filed this application. If ex-parte TI is not granted defendant will unauthorizedly renovate and alter the existing house belonged to the plaintiff. Hence, prays for ex-parte TI.

Perused the materials. At present the material available on record are sufficient to believe about existence of prima facie case in favour of plaintiff. Hence following,

ORDER

Defendant is hereby restrained from renovating house No.1601 situating in the suit schedule property till further order on IA No.III.

Issue suit summons and notice on IA No III through RPAD after compliance of Order 39 Rule 3 of CPC. Collect PF.

Call on 18.09.2020.

Sd/-

I/C Addl C.J. and J.M.F.C.,
Honnavar.