

ORDER ON I.A. No.I

The GPA holder of the plaintiff has filed this suit for the relief of permanent injunction.

The GPA holder of the plaintiff has filed I.A. No.I under order 39 rule 1 and 2 of CPC seeking an order of ex-parte ad-interim Temporary Injunction against the defendants to restrain the defendants from constructing a road in the suit schedule property, till disposal of the suit.

Perused the plaint, I.A. filed U/O 39 Rule 1 and 2 of C.P.C, the connected affidavit sworn by the plaintiff and documents placed on record. On perusal of RTC of property bearing survey No.186/2b1 measuring 00-16-00 situated at Chikkankod Village, Mavinkurva Hobli, Tq:Honnavar. The name of the plaintiff is shown in column No.9.

Heard, counsel for the plaintiff on I.A No.I. At this stage this court is of the opinion that prima-facie case is in favour of plaintiff. Considering the nature of the suit and documents filed along with the plaint, this court is of the opinion that ordering of the notice to the

opponent would delay the proceedings and results in multiplicity of proceedings. Hence, preserving the said property in the same status is necessary, otherwise the case of the plaintiff would be frustrated and if notice is ordered, the very purpose of I.A will be defeated and the plaintiff will be put to great hardship. Hence, this court proceeds to pass the following:

ORDER

Issue order of ex-parte temporary injunction, restraining the defendants from interfering with peaceful possession of plaintiff and also from constructing a road in the suit schedule property, till the next date hearing.

The plaintiff to comply with Order 39 Rule 3(a) of C.P.C. If compliance is reported, issue emergent notice on I.A. No.I and suit summons to the defendants.

Call on 22-07-2026.

Sd/-

**Addl. Civil Judge and JMFC.,
Honnavar.**