

Case called out.

ORDER ON I.A.No.I and II

Heard Shri. R.N.H., Advocate for plaintiff on IA No.I and II.

This is a suit for Partition and separate possession. Perused, the applications filed U/Order 39 Rule 1 & 2 of C.P.C. and also contents of the affidavits and also documents available on record.

At this stage, it is found that the plaintiff has made out a prima-facie case and balance of convenience in his favour and also found that if the interim Ex-parte order is not granted on IA No.I definitely it will leads multiplicity of proceedings.

It is further submitted that, if notice is issued to the defendant, the delay would defeat the granting of injunction.

Satisfied. In view of the urgency notice of I.A.No.I to the defendant is dispensed with.

Ex-parte T.I. order is granted on **I.A.No.I** restraining the defendants from alienating the suit properties, till next date of hearing.

Plaintiff shall comply the requisites of Order 39 Rule 3[a] and [b] of C.P.C. by tomorrow.

Issue emergent notice on IA No.II, notice and T.I warrant on IA No.I to the defendants if PF and copies are paid.

Call on: 06.09.2021.

Sd/–

C/c. Addl. Civil Judge & J.M.F.C. Honavar.