

Orders

Heard Sri. P.G.H. Advocate for plaintiffs on I.A.Nos.II and III.

Perused the I.A.Nos.II and III, its annexed affidavits, plaint and the documents produced along with the plaint. Plaintiffs submit that their mother sold the suit schedule family property without their consent, they have also share in the suit schedule property. On perusal of the same, at this stage, that the plaintiffs have made out a prima facie case for grant of exparte order of temporary injunction as their alleged right over the I.A.Nos.II and III schedule property is to be protected. If the notice on this application is issued to the defendant No.1, the alleged right of the plaintiffs over the said property will be defeated. Hence, the issuance of notice to the defendant No.1 on I.A.No.II is dispensed with. Accordingly, I proceed to pass the following:

Order

Defendant No.1 is hereby restrained from mortgaging, gift, sale deed, transfer or agreement for sale on I.A.No.III schedule property till appearance of defendant No.1.

Plaintiffs have to comply the provisions of Order 39 Rule 3(a) of CPC. Issue suit summons to the defendants and notice on I.A.No.3 along with the copy of exparte order

of temporary injunction to the defendant No.1
returnable by 15.07.2024.

Senior Civil Judge & Prl. JMFC., Kumta.