

**ORDERS ON I.A.NO.I**

Heard learned Sri.M.B.P. advocate who appearing on behalf of plaintiffs, the plaintiffs have filed this suit against the defendant for relief of partition and consequential reliefs in respect to suit schedule property along with I.A.No.I that is application under order 39 Rule 1 and 2 of CPC seeking ad-interim order of temporary injunction as not to alienate the same by the defendants until disposal of this suit.

In support of plaintiffs case he has relied upon reported decisions 1) AIR 2004 Calcutta page 310, 2) AIR 2004 Delhi page 369, 3) AIR 1996 Madras page 146, 4) AIR 1980 Kerala page 94, 5) 2022 AIAR(Civil) page 999, 6) AIR 1993 Supreme Court page 276, as to which on perusal of the plaint averments, I.A and Affidavit and other documents enclosed with the above said IA, at this stage I am of the considered opinion that the defendants should be heard before passing any order on I.A.No.I hence, in this view of the matter, I proceed to pass the following:

**ORDER**

Issue emergent notice on I.A.No.I along with suit summons to the defendants, if necessary steps taken.

Await summons & notice to defendants by: 01-02-2023.

Civil Judge & JMFC  
Mundgod