

ORDERS ON I.A. No. II

Plaintiff filed IA No. II, U/o 39 Rule 1 and 2 of CPC seeking for grant of ad-interim ex-parte temporary injunction against the Defendants and their workers, supporters from interfering the peaceful possession and enjoyment of the plaintiff over the suit schedule property till the disposal of this suit.

Heard, perused the plaint and I.A. No. II its annexed affidavit and documents which are available on record. Plaintiff produced the, computerized RTC's of the Suit Schedule Property, suit schedule spot verification sketch through GPS, Assessment extract regarding the House property which situated in the suit schedule premises and one tax paid receipt.

As per the above said documents plaintiff contended that he is in settled possession in the suit schedule property.

As such the plaintiff is in peaceful possession over the same as settled possession. As such plaintiff has claiming the interim relief with rights and interest over the suit schedule property for restraining the defendants and their workers, supporters from interfering and not to form a road in suit shedule property as alliged by the plaintiff. As such the suit schedule property is subject matter in this case as claiming in the plaint as rights and interest over the same as settled possession. Accordingly, the Defendants are trying to interference over the Suit Schedule Property and trying to form a road as alleged by the plaintiff. Under circumstances for considering the above and for the safe guard of the suit schedule property and also avoiding the multiplicity of the proceedings the Court can considered the application's affidavit reasons.

Accordingly, the plaintiff has made out prima case for grant of exparte ad-interim injunction against the defendants.

If notice on I.A.No.II is ordered, it would be defeat the very object of grounding the ex-party injunction by delay. There is allegation that defendants are trying to interfere over the suit schedule property. Hence due to urgency, the notice of I.A. No. II is dispensed with.

Ad interim ex-parte temporary injunction against the defendants not to Interference over the suit schedule property. **till filing the objection to the IA No.II.**

The plaintiff shall comply orders-39 Rule 3A of CPC and shall furnish sufficient Process Fee.

Office is directed that copy of order shall not be issued to any one including the plaintiff, until plaintiff complies with Order 39 Rule 3A of CPC.

It is made clear that, this order shall automatically stand vacated, in case of plaintiff does not comply the provisions of Orders 39 Rule 3A of CPC.

Issue summons to defendants and E/Notice on IA No.II. if sufficient PF paid. Call on: 13-02-2023

Sd/-
Civil Judge and JMFC.,
Siddapur