

EXPARTE ORDER ON I.A. NO.II

The plaintiff has filed this suit for declaration and permanent injunction. Along with the suit, the plaintiff has also filed I.A. No.II under Order 39 Rule 1 and 2 and Section 151 of C.P.C., seeking exparte temporary injunction against defendant.

I have perused the plaint, I.A. No.II, supporting affidavit and documents produced before the Court by the plaintiff. Having been considering the apprehension of the plaintiff, this Court is of the view that it is just and proper to pass exparte order of ad-interim injunction restraining opponent/defendant, his people and all persons claiming through him from putting any fence by encroaching the schedule land or dumping any earth over the schedule land till next date of hearing. Therefore, this Court proceeds to pass the following:

ORDER

The opponent/defendant, his people and all persons claiming through him are hereby restrained by an exparte order of temporary injunction from putting any fence by encroaching the schedule land or dumping any earth over the schedule land till next date of

hearing subject to compliance of the provision of Order XXXIX Rule 3 of C.P.C.

Issue emergent notice of temporary injunction on I.A. No.II along with suit summons to the defendant, if process fee paid.

Returnable by 09-10-2019

**Prl. Civil Judge & JMFC
Kundapura.**