



O.S.No37/2022
dt:05-03-2022.

1. Heard learned counsel for the plaintiff on IA No.I.
2. Perused the plaint averments, I.A. No.I and its supporting affidavit and suit documents.
3. The plaintiff has filed the suit for Declaration and Permanent Injunction against the defendants in respect of suit schedule property bearing Sy.No.930 measuring 03 acres 28 guntas situated at Ingaleshwar village Tq: B.Bagewadi.
4. On perusal of the office note there is no caveat is pending pertaining to this suit.
5. The plaintiff in his annexed affidavit in support of I.A.No.I has contended that, he is the absolute owner and possessor of the suit land as he has purchased the same out of his own income. It is further contended that, he himself acquired the suit land. It is further contended that, the defendant No.1 who is his son colluding with the revenue officials has created M.E.No.14648 behind his back and without notice and without knowledge to him colluding with revenue officials he relinquished the suit land in his favour and accordingly got

entered his name in R Of R of the suit land illegally. It is further contended that, he has not relinquished the suit land to the defendant No.1. The defendant No.1 after got entering his name in the R Of R the suit land got certified another M.R.No.H97 which reveals that the defendant No.1 has given the suit land to the defendant No.2, who is his wife. Now the defendant No.2 on the strength of her name appearing in the R Of R of the suit land is trying to alienate the same to other. Defendant No.2 is having no title to the suit land. The defendants with an intention to dupe the suit land trying to create III party interest. If T.I is granted no loss and injustice would be causes to other side and on the other hand if T.I is not allowed then he will be put into inconvenience and also irreparable loss. Hence, prays to allow the I.A.

6. At this stage, I have no grounds to disbelieve the case of the plaintiff. If the T.I. order is not granted, the very purpose of filing of the suit will becomes unfractuous.

7. Hence, the defendant No.2 has to be restrained from transferring the suit schedule property. The notice is hereby dispensed with. Hence, I proceed to pass the following:

~:: ORDER ::~

Issue ad-interim exparte temporary injunction against the defendant No.2 in respect of suit schedule property as sought for in I.A.No.I till appearance of defendants.

Plaintiff is directed to comply the provisions of CPC U/o 39 Rule 3 of CPC.

Office is directed not to issue certified copy of the order unless compliance is made as required under law.

Issue TI order, notice on I.A.No.I to defendant No.2 and suit summons to all the defendants if PF paid.

Returnable By: 29-03-2022.

**Sr. Civil Judge & JMFC,
Basavana Bagewadi.**