

ORDER

Heard advocate for the plaintiff on IA No-I and II. Plaintiff has filed the suit for partition and separate possession.

2. Since the defendant Nos.4 to 6 are minors, as such plaintiff has filed IA No-I U/o 32 Rule 3 of CPC and sought to appoint defendant No.3 as guardian of minor defendant Nos.4 to 6.

3. In support of IA No-I the plaintiff has filed his affidavit contending that the defendant Nos.4 to 6 are minor and defendant No.3 being their mother as such it is necessary to appoint her as minor guardian of defendant Nos.4 to 6 in the ends of justice. Perused, in order to meet the ends of justice, IA No-I is allowed.

4. The plaintiff has also filed IA No.II U/o. 39 Rule 1 & 2 of CPC seeking an order of temporary injunction against the defendants restraining them from alienation or transfer of the suit properties i.e. land land bearing

Sy.No.182/2 measuring 03 acres 14 guntas,
Sy.No.182/5 measuring 03 acres 14 guntas,
Sy.No.165/2E measuring 01 acre 22
guntas, all situated at Basavana-Bagewadi.
In support of it, the plaintiff has filed his
affidavit. The plaintiff has also filed record of
rights and mutation extracts pertaining to
the suit properties.

5. The plaintiff has filed the suit for
partition and separate possession, at this
juncture prior issuance of notice is
dispensed with. In order to protect the
rights of the plaintiff over the suit properties
and in order to avoid multiplicity of
proceedings it is necessary to injunct the
defendants by way of temporary injunction
from alienation or transfer of the suit
properties. Therefore this court proceed to
pass the following:

ORDER

The defendants are hereby restrained
by an order of temporary injunction from
alienating or transfer the suit property i.e.
land land bearing Sy.No.182/2 measuring
03 acres 14 guntas, Sy.No.182/5 measuring

03 acres 14 guntas, Sy.No.165/2E measuring 01 acre 22 guntas, all situated at Basavana-Bagewadi till next date of hearing.

The plaintiff shall comply the provisions of Order 39 Rule 3 of CPC through E-filing or in any another electronic media and to submit the compliance report to the court through E-filing, so as to avoid physical presence of the parties and their counsel in view of SOP issued by the Hon'ble High Court of Karnataka and circular issued by the Hon'ble Principal District and Sessions Court, Vijayapur, regarding COVID-19.

Further plaintiff is directed to submit physical report/hard copy of compliance report soon after reopening/normal functioning of the court.

Issue temporary injunction order on IA No.II and suit summons to the defendants.

R/by 20.10.2020.

C/C Civil Judge,
Basavana-Bagewadi.