

KAVP210023142021



Perused Office note regarding no caveat.

The plaintiffs have filed this suit for Partition and separate possession in respect of suit schedule properties.

The plaintiffs have filed I.A.No.I U/O.39 rule 1 and 2 of C.P.C. seeking temporary injunction against the defendant No.1 to 19 restraining them from alienating property bearing R.S. No.289/1, R.S. No.289/2 and R.S. No.297 situated at Takkalaki village of Basavana-Bagewadi taluka in favour of others pending disposal of the suit.

The plaintiff No.1 sworn to the affidavit annexed to the I.A.I and submitted that they have filed this suit for partition and separate possession. The defendants are trying to alienate the suit properties in favour of others in order to cause irreparable loss to the plaintiffs. Therefore, the plaintiffs are constrained to file this suit and IA.No.I.

On considering the pleadings and affidavit and documents, at this stage of the suit I am of the view that the plaintiffs have made out a prima-facie case. Hence, in order to safeguard the

interest of the plaintiffs and also to avoid multiplicity of proceedings. It is necessary and just to pass the interim order on I.A.No.I by dispensing the issuance of notice to the defendant Nos.1 to 19. Hence, I proceed to pass the following:

ORDER

Defendant Nos.1 to 19 are hereby restrained by way of ad-interim exparte temporary injunction from alienating the suit schedule property bearing R.S. No.289/1, R.S. No.289/2 and R.S. No.297 situated at Takkalaki village of Basavana-Bagewadi taluka in favour of others till the next date of hearing.

The plaintiffs to comply Order 39 Rule 3 of C.P.C.

Issue temporary injunction notice of IA.No.I to defendant Nos.1 to 19, and suit summons to all the defendants.

The plaintiffs to see that I.A. No.I notice to defendant Nos.1 to 19, and suit summons to be served on the defendants within the next date of hearing. Returnable by 27-08-2021.

C/C Addl.Civil Judge & J.M.F.C.,
Basavana Bagewadi