

Heard the plaintiff counsel. Perused the plaint and documents produce by the plaintiff. It reveals that, the plaintiff has filed this suit against the defendant for the relief of specific performance of contract and also filed IA No.I U/o 39 ruled 1 and 2 of CPC for the relief of ex-parte temporary injunction order against the defendant restraining him from alienating and creating charge over the suit schedule property. At this stage I am satisfied to grant exparte temporary injunction. Plaintiff has made out a prima-facie case against the defendant for restraining him from alienating and creating charge over the suit schedule property. If the notice is ordered it may result in delay. The delay may defeat the purpose of suit and suit may become infructuous and will cause multiplicity of proceedings. Hence by dispensing the prior notice to the defendant I proceed to pass the following

ORDER

The ex-parte order of temporary injunction is hereby granted in favour of the plaintiff's against the defendant.

The defendant and his agents, servants and others on behalf of him are hereby restrained from alienating and creating charge over the suit schedule property till

next date of hearing.

The plaintiff's shall comply as per provisions U/o 39 rule 3A of CPC and file an affidavit to that effect.

If the plaintiff's have complied as per order, the office is here by directed to issue ex-parte T.I. order, emergent notice on I.A. No.I. Issue suit summons to the defendant If pf and copies furnished.

Call on : 27.10. 2022

I Addl Civil Judge Sirsi.,