

IN THE COURT OF THE MUNSIFF, KANJIRAPPALLY.

Present : Smt. Sherin K. George, Munsiff

Wednesday 4th August 2023
13th Sravana 1945

I.A 2/2023 in O.S 279/2023.

Petitioner/Plaintiff:-

Lincy Thomas, Aged 56 Years, W/o Joseph Mathew, Maliakal House, Mukkuttuthara P.O., Erumely South Village, Kanjirappally Taluk, 686 510.

By Adv. Justin David

Respondents/defendants:-

- 1) M/s IndusInd Bank, Head Office (Corporate Office), 8th Floor, Tower 1, One India Bulls Centre, 841 S B Marg, Elphinstone Road, Mumbai – 400013.
- 2) Branch Manager, IndusInd Bank, Kanjirappally Branch, Kanjirappally.

No appearance.

This petition came up for consideration on 04.08.2023 and the court on the same day passed the following:-

ORDER

This is a petition filed under O. XXXIX, R.1 of Code of Civil Procedure for temporary *prohibitory injunction*. *Heard the petitioner. Perused the plaint, affidavit filed in support of this application and*

documents filed. From the records on file, I am satisfied that plaintiff has a prima facie case and balance of convenience is in his favour. If the injunction as sought for is refused, it may cause irreparable injury to him. From the facts brought on record, it appears that the object of the injunction would be defeated by the delay, if notice to the defendant is ordered in this petition. Hence the defendants and men under them are restrained from taking forceful possession of the petition schedule vehicle otherwise than due process of law, until further orders. The plaintiff is directed to comply with O. 39, R.3 of C.P.C. and communicate a copy of this order to them. For return of notice of the defendants, the case is posted to 24.08.2023 on service of summons date

Dated this the 4th day of August, 2023.

Sd/-

**Sherin K. George
Munsiff**

APPENDIX :-Nil

Id/-

Munsiff

//True copy //

Typed By : Sheeba C.N.

Compd. By : Jisamol S.R.

Munsiff