

**ORDERS ON IA Nos.1/2023 and 2/2023**  
**FILED U/Sec.10 of CPC and U/OR. 39**  
**1 AND 2 R/W SEC.151 OF CPC.**

*The Plaintiff has filed IA No.1/2023 seeking stay of the operation and enforcement of Ex.Pet. No.581/2021, pending final disposal of the above suit. The provision invoked by the plaintiffs is Sec.10 of CPC, which provides for stay of subsequent proceedings and not the previous proceedings. Therefore the question of staying proceedings in Ex.Pet No.581/2021 does not arise.*

*In so far as IA No.2/2023 is concerned the plaintiffs are claiming to in possession of suit schedule property. According to plaintiffs there is*

threat of dispossession by the defendants. In support of their case at this stage, the plaintiffs produced several corporation records and electricity bills in respect of suit schedule property. The decree passed earlier in OS No.15125/2006 is in respect of property Old katha No.122/183 and New house list No.3298. The suit schedule property is bearing katha No.122/183, house list No.3298. The documents produced by the plaintiffs also support the case of the plaintiffs at this stage. Therefore at this stage, the plaintiffs have made out prima facie case to grant ad-interim exparte temporary injunction as prayed for. If the notice is ordered, the very object of filing of the above suit would be defeated by delay.

Hence issue Temporary Injunction as prayed for in IA No.2/2023 till the appearance of the defendants before this Court, subject to plaintiffs complying with the provisions U/OR 39 Rule 3 of CPC.

Issue suit summons and notice on IA Nos.1/2023 and 2/2023 and on Interim order passed on IA No.2/2023 to the defendants, if PF is

*paid alongwith copies of plaint, returnable by  
25.10.2023.*

**[Sri. P. G Chaluvamurthy]**  
*LXXII Addl.City Civil & Sessions  
Judge, (CCH-73), Bengaluru.*