

01-08-2023

The plaintiff has filed the present suit for the relief of Specific Performance of Contract.

The plaintiff has submitted I.A.No.1 under Order 39 Rule 1 & 2 R/w Sec.151 of C.P.C. seeking to restrain the defendants from alienating the suit schedule properties till disposal of suit.

Heard.

On going through the plaint and the documents on record, there is reasonable apprehension of suit schedule properties being sold in favour of 3rd person. If the temporary injunction is not granted at this stage, there is possibility of rights of plaintiff being curtailed. In order to avoid multiplicity of proceedings it is necessary to pass restraining order in respect of I.A. No.1. In view of this I proceed to pass the following :

ORDER

The defendants are restrained by way of ex-parte ad-interim temporary injunction from alienating the suit properties to the 3rd parties till next date of hearing.

The plaintiffs shall comply order 39 Rule 3 A of C.P.C. in respect of I.A. No.1.

Issue suit summons to defendants through R.P.A.D. and through Court along with interim order passed on I.A. No.1.

O.S.NO.800/2023

Office is directed to keep the original agreement of sale dated 12-02-2013 in the safe custody.

R/by : 28-08-2023.

Sd./-

**I/C. II Addl. Senior Civil Judge & J.M.F.C.,
Devanahalli.**