

MHST020006452026



ORDER BELOW EXH.21 IN R.C.S.NO. 239 OF 2026

Plaintiff filed this suit for challenging order of Tahsildar Koregaon dtd.21.07.2025 in र.म./ एस.आर./०३/२०१८ of granting road from the boundaries of Gat No.742 and Gat Nos. 743/4, 743/5, 743/6, 743/7 and 743/8 on the ground of illegality.

2. The plaintiff filed application for temporary injunction against defendant No.2 at Exh.5. Thereafter, plaintiff filed this application for status quo on 25.06.2025 against defendant No.2 by filing application for taken on board at Exh.18. Accordingly, notice issued to defendant No.2 and notice served by plaintiff to defendant No.2 on 25.06.2025 as per Exh.24.

3. It is contention of plaintiff that defendant No.2 is going to implement the order dtd.21.07.2025 of Tahsildar on 03.07.2026 as per the notice filed alongwith the list at Exh.20 in which the date of implementation of order is mentioned i.e. 03.07.2026. In spite of service of the notice of the status quo none on the behalf of defendant No.2 appeared today.

4. The plaintiff filed today the copy of application in SR

No.03/2018 in which it is mentioned that already there is road from the east west boundary between Gat No.743 and 742. The advocate for plaintiff argued that as there was already road from the boundaries and in that application only obstruction is claimed therefore the case is not maintainable under Section 143 of Maharashtra Land Revenue Code but necessary to be decided under Section 5 of Mamlatdar Courts Act. Whether the order of Tahsildar is legal or not is to be decided on merit. The plaintiff already filed temporary injunction application. The notice of it returnable on 07.07.2026, so if the order will get implemented on 03.07.2026 the suit of plaintiff will become infructuous. Therefore, I pass following order:

ORDER

1. This application hereby allowed.
2. Status quo granted against defendant No.2 till 07.07.2026.

Place : Satara
Date : 01.07.2026

(P. V. Ghadge)
6th Jt. Civil Judge Sr. Dn.,
Satara.