

**IN THE COURT OF INCHARGE 3rd JT. CIVIL JUDGE, SENIOR
DIVISION, KHED-RAJGURUNAGAR**

R.C.S.No.227/2026

ORDER BELOW EXH.12

1. This is an application for grant of status quo in respect to the suit property to prohibit defendant No.1 from executing the order bearing No. पुर्नवसन/एसआर/ २ / २०२६ dated 07/04/2026.

2. Read application. Say not filed. Perused the plaint and Roznama and case record. It appears that, defendant Nos.1 and 2 have appeared but they have not filed their say and written statement till date. The suit is filed for declaration in respect of above order dated 07/04/2026 passed by the learned Tahsildar, Ambegaon. Similarly, plaintiff has claimed relief of perpetual injunction in respect of suit property on the ground that inter-alia that, the plaintiffs are in possession of suit property since 1986 as averred in the plaint.

3. Learned advocate for the plaintiff has pointed out the pleading and contents of various documents like copies of an agreement to sell, power of attorney, 7/12 extract, panchnama dated 31/01/2023 conducted by Circle Officer Pargaon and order dated 07/04/2026. It is submitted that, plaintiffs are in possession of suit property since long. However, defendant No.2 and the State Government are trying to take possession of the suit property without following due process of law. The order dated 07/04/2026 and the contents of disputed panchnama dated 31/01/2023, prima-facie shows that, plaintiffs are in possession

of the suit property. No doubt, 7/12 extract filed on record shows the name of District Rehabilitation Officer @ Deputy Director of land Acquisition. However, in view of panchnama dated 31/01/2023 and order dated 07/04/2026, said document an is isolated document. Therefore, issue of possession of state government cannot be solely decided on the basis of entry in the 7/12 extract, which are basically created for fiscal purposes. On the contrary, the pleadings and unchallenged facts are prima-facie showing that, plaintiffs are in possession of the suit property, as averred. Whether their possession is legal or illegal or whether there can be protected or not will be decided after considering rival contentions and necessary evidence at relevant stage of the proceeding. Now, as submitted by the learned advocate for the plaintiff, it is seen that, The Tahasildar, has issued aforementioned order and directed Circle Officer, Pargaon, Avasari Bk. to implement the order dated 10/06/2026. Therefore, the Circle Officer has issued notice bearing OW No.332/2026 dated 27/05/2026 and fixed the date as 10/06/2026 at 3.00 PM, for taking action for possession of the suit lands from the concerned parties including the plaintiffs. Therefore considering the pleadings, the situation and the circumstances of the case, it would be just and proper to grant status quo against defendant No.1 to prohibit him from implementing order dated 07/04/2026 till filing of say on Exh.5. Ultimately, I proceed to pass following order:

:ORDER:

1. Application filed below Exh.12 is hereby allowed.
2. Defendant No.2 is directed to maintain 'status quo' till filing of say on Exh.5. In short, defendant No.2 is hereby prohibited to implement its order bearing No.पुर्नवसन/एसआर/ २ / २०२६ dated

..2..

Spl.C.S. No. 147/2025

07/04/2026 by himself or through its any officer till filing of say
on Exh.5

Pronounced and dictated in open court.

Khed-Rajgurunagar.

Date – 09.06.2026

(S.S.Patil) Vacant

I/c. 3rd Jt. Civil Judge Sr. Div.,
Khed-Rajgurunagar.