

INTERIM ORDER ON IA NO.1 FILED UNDER ORDER 39
RULE 1 AND 2 OF CPC

1. Heard Sri. M S Patil adv., for the plaintiff. The plaintiff has filed this suit seeking the relief of injunction against the defendants not to interfere with the possession of the suit property. The plaintiff advocate states that the defendant is constructing a lavatory in the area shown as EFGH, which is a gram tana property. It is said that the said property is situated adjacent to the plaintiff's property, shown as CDEF, in the plaint rough sketch. The summons is served on the defendant. But he has not appeared before the court and he is placed exparte.

2. Heard the counsel for the plaintiff. Perused the plaint and the other documents produced along with it.

3. AT this stage, after going through the rough sketch annexed to the plaint as well as the documents produced along with the plaint, the documents produced show the the plaintiff is the owner in possession of the suit property CDEF, which is VPC 979/A and as could be seen from the photographs, it is seen that a lavatory is being constructed. Therefore , in order to protect the suit property and also in order to avoid the suit being infructuous, at this stage, the plaintiff has made out a prima facie case and therefore I proceed to pass the following :

ORDER

Issue ad-interim order of temporary injunction, restraining the defendant from causing any obstruction to the plaintiff in the suit property, in any manner, till next date.

For plaintiff evidence by 18/04/2023

(Aditya R Kalal)

Addl. CJ & JMFC., Ron