

MHAH080003692026

ORDER BELOW EXH.17 IN R.C.S. NO.169/2026

(Passed on 29/06/2026)

1] Perused application and documents on record. Heard Ld. Advocate for plaintiffs.

2] Plaintiffs have filed application for temporary injunction below Exh.5. Notice of said application was issued to defendant Nos.1 to 7. However, record reveals that, notice could not be served for some reasons. Notice was issued twice. Today summons has not been returned. In this backdrop, present application has been filed by plaintiffs.

3] Present suit is for measurement, possession of encroached portion, if any and permanent injunction. Plaintiffs have prayed by way of present application that defendant nos.1 to 7 be restrained from obstructing possession of plaintiffs over suit property No.1A1, which is described in the plaint para No.1. Perusal of documents on record prima facie reveals that plaintiffs are owners of said property. In essence, present suit is for removal of encroachment. It is clear that, measurement is yet to be done. Further plaintiffs relied on non-cognizable reports filed by them on 13.06.2026 and 26.06.2026. Perusal of the latter report reveals that, plaintiffs have told defendants about filing of present suit. In view of this, prima facie it is clear that, defendants have knowledge about present suit. Documentary record clears that, plaintiffs are owners of suit property No.1A1. In view of the same, plaintiffs have raised questions that can be determined during the hearing. Considering above facts & circumstances, not passing ex-parte ad-interim order would defeat the justice as the apprehension of plaintiffs is imminent. Thus, to preserve the current status of said suit property, it is necessary to pass ex-parte status quo order. Further, Exh.5 application is for the same prayer, therefore,

present application is being disposed off, as already notice is issued to defendants for filing say on Exh.5 application. In such circumstances, following order is passed.

: O R D E R :

- 1) Present application is allowed.
- 2) Plaintiffs and defendant Nos.1 to 7 are directed to maintain status-quo on the suit property No.1A1, till next date.
- 3) As prayer is granted ex-parte, plaintiffs to comply Order 39, Rule 3 of Code of Civil Procedure.

Sangamner.
Date :- 29.06.2026

(C. P. Raghuvanshi)
I/c. 6th Jt. C.J.S.D., Sangamner.