

**ORDER BELOW EXHIBIT No.55.**

1] The plaintiffs had filed application for temporary injunction [Exh.05] along with the suit. Thereafter, on 30/03/2022 plaintiff made remark on Exh.05 stating that it be decided along with suit. However, on 27/06/2022 the plaintiffs urged that the defendants are trying to alienate the suit properties hence, application [Exh.05] be revived because of urgency and filed the present application for ad interim injunction. It is contended that the suit is for partition and separate possession. The plaintiffs have right in the suit properties. The defendant No.1 to 3 and 7 are trying to alienate the suit properties. If they succeed, the plaintiffs may cause prejudice and irreparable loss. Hence, prayed to grant status-quo till the decision of Exh.05.

2] The defendant no.1 to 3 appeared in the matter. They have filed say at Exh. 65 and strongly opposed the application. Suit summons duly served to defendant No.7. However, he remained absent hence, suit proceeded ex-parte against him.

3] Heard both the Ld. Advocates. Perused the application, affidavit and documents file on record.

4] The Ld. Advocate for the defendants has strongly objected for status-quo mainly on the ground that there is no documentary proof as to the alienation of the suit property at the instance of defendant. Further it is contended that plaintiffs have filed the present application just to prolong the matter. The present application is filed with an sole intention

to harass them. Lastly, they prayed to reject the application .

5] The suit is for partition. Plaintiff No.1 is wife and plaintiff No.2 is daughter of deceased son of the defendant No.1 and 4. To my mind, no harm or prejudice will be caused to either party if, the status-quo is maintained. The plaintiffs have prima-facie case. In the interest of justice and to avoid multiplicity of litigation application deserves to be allowed. Hence, following order.

ORDER

- 1) Application is hereby allowed.
- 2) Parties to maintain status-quo of the suit properties till the decision of Exh.05.

Date : 08.09.2022
Place : Pathardi

[**V. I. Shaikh**]
Jt. Civil Judge, J.D., Pathardi