

ORDER BELOW EXH.26 IN SPL.C.S. NO. 03/2025

Plaintiff in present suit has placed this application under order XXXIX rule 1 and 2 of Civil Procedure Code, 1908, seeking temporary injunction against the defendant no.1 to restrain him from alienating the suit property through either mode of transfer of property. From the record of present suit, it appears that present suit is already ordered to be proceeded *ex-parte* against defendant no.1, 5 and 6 and without written statement of defendants no. 2 to 4, 7 and 8. Say of the parties against whom suit is already ordered to be proceeded *ex-parte*, need not be sought. However, an opportunity to submit say to present application is essential to be given to the parties those are appeared in present suit, though suit is ordered to be proceeded without their written statement. However, considering the necessity expressed and apprehension raised through present application, defendant no.1 is required to be directed to maintain *status quo*, till filing of say by defendants no. 2 to 4, 7 and 8 to present application. Hence, I pass following order:-

:: ORDER ::

1. Defendants no. 2 to 4, 7 and 8 are at liberty to file their say to present application.
2. Defendant no.1 is directed to maintain *status quo*, till filing of say by defendants no. 2 to 4, 7 and 8.

Shrigonda
Date :- 06/11/2025

(H. J. Pathan)
2nd Jt. Civil Judge, S.D.,
Shrigonda