

**ORDER BELOW EXHIBIT No. 23**

The present application has filed for maintaining status quo with respect to the suit property.

2. It is the case of the plaintiffs that, on 17.11.2023, the portion of the suit property was transferred by the defendant nos. 3 to 5 to defendant no. 6 vide registered sale deed bearing No. 1456 of 2023.

3. It is further the case of the plaintiff that, during the pendency of the suit again on 21.03.2025, the defendant no. 4 transferred the portion of the suit property to in favour of defendant no. 6 by way of, registered sale deed bearing no. 2078 of 2025. The defendant nos. 1 and 2 have also partitioned the suit property by executing partition deed bearing no. 440 of 2025. Therefore, it is the case of the plaintiff that, status quo with respect to suit property be maintained by defendant nos. 1 to 6.

4. On the other hand, the defendant nos. 2 to 4 have opposed the present application. It is the case of the defendant nos 2 to 4 that, the present application is not true and correct. The present application is premature. The defendant nos. 1 and 5 are not yet served. Hence, in their absence the present application can not be heard. The defendants have already admitted that, the defendant no. 4 has transferred the portion to third party. Unless, the aforesaid third party is made party to the suit, status quo can not be granted against him.

5. I have heard the learned counsel for the parties. I have perused the record.

6. Admittedly, defendant nos. 1 and 2 have executed a partition deed bearing no. 441 of 2025 on 21.01.2025. The same is

also mutated in the revenue records vide mutation entry no. 10410. Further, defendant nos. 3 to 5 have also transferred the suit property to defendant nos. 6 by executing a sale deed bearing no. 7456 of 2023 dated 17.11.2023. From the perusal of the record, it is seen that, there is clear cut apprehension for that, the defendants might create third party interest pending the suit property. Therefore, in order to avoid further complications and multiplicity of litigation it would be just and proper to direct defendant nos 1 to 5 to maintain status quo with respect to the suit property. However, as defendant nos. 6 is not yet party to the suit no relief can be granted against him. Hence, I pass the following order.

**Order**

1. The present application is allowed.
2. Defendant nos. 1 to 5 are directed to maintain status quo with respect to the suit property till appearance of the defendants and filing of their written statement

Date: 05.05.2025

(N. P. Baji)  
2<sup>nd</sup> Jt. Civil Judge Junior  
Division, Shrigonda.