Order passed below Exh. 5 in Reg. Civil Suit No. 58 / 2025

Plaintiff has prayed for issuance of *ex parte* ad interim injunction or maintaining the status-quo against the defendants by arguing on the application at Exh.5. Heard learned advocate for plaintiff.

2. According to plaintiff, he is in possession of the suit property having purchase from the father of defendant no.1 in the year 2010. According to plaintiff, he has constructed 30 X 60 Ft. animal shed and three rooms of 10 X 15 Ft. He has also taken electric connection and independent bore-well therein. Due to the loss in his business of milk production, he sought Rs.2,00,000/- on credit from defendant no.1. Defendant no.1 decided to give him Rs.2,00,000/- on a condition to give the suit property open land to him on a sale-deed and get the sale-deed reconveyed when he returns the amount of Rs.2,00,000/-. Plaintiff refused it but defendant no.1 told him to give sale-deed of open land to him and keep the construction and the bore-well in possession of plaintiff. Plaintiff agreed for it and got the sale-deed entered with defendant no.1 on 16.09.2019. There was mention of giving possession of property in the sale-deed and plaintiff was having objection to it but after defendant no.1 told him that it is necessary to mention such content in the sale-deed, plaintiff relied on words of defendant no.1. Defendant no.1 was going to reconvey the sale-deed and he had assured plaintiff that he will not alienate the property in any manner. However, defendant no.1 has sold the suit property to defendant no.2 and 3 by sale-deed no.8600/2024 on 23.10.2024. Plaintiff therefore, is praying for not to obstruct his possession over the suit property by defendants no.2 and 3 and to restrain them from alienating the suit property in any manner. Considering the aforesaid position of the plaintiff, issue of possession as well as ownership over the suit property might be involved as there is involvement of the transactions based on the sale-deeds.

Hence, at this stage without hearing the other side, ex parte ad interim injunction or issuance of status-quo is not warranted. Hence, it would be appropriate to issue show cause notice to the defendant nos.2 and 3 in order to adjudicate the application for temporary injunction on merits. Hence, issue show cause notice to the defendant nos.2 and 3.

Sd/-

(N.S.Sabnis)

Date: 21/02/2025 2nd Jt. Civil Judge, J. D., Parner.