



RCS No. 191/2025
Janki Milind Vs.
Sarpanch, Sawargaon
MHAK060036932025

ORDER
(Below Exh.13)
(Passed on 16th February, 2026)

This is an application by plaintiff to pass status quo order pending his ad-interim injunction application.

2. It is submitted that the defendants by way of Notice dated 11.02.2026 are going to take possession of 0.05 Are area of the suit field forcefully. The summons to defendant No. 2 is yet to be served. Therefore, no decision can be passed on ad-interim injunction application. Therefore, it is prayed to direct respondents to maintain status-quo till next date.

3. Per contra, defendant No. 1 filed Say at Exh.16 contending that the application is not tenable. Necessary parties are not made by the plaintiff. Remedy is available to the plaintiff before appropriate forum.

4. Defendant No. 3 today appeared and filed Say at Exh. 17 contending that unless and until the order passed

by sub-divisional Officer, Akot dated 16.07.2025 is challenged. No relief is granted to the plaintiff as prayed.

5. Perused the record. This is suit for perpetual injunction. As per settled law, before granting status-quo, Court is supposed to ascertain first *prima-facie* status of the property in dispute. As per the document No. 12, attached with list (Exh. 3), it appears that the disputed 5 Are land out of the suit field is *prima-facie* in possession of the plaintiff. Had it not been so, the other side had no reason to give notice to the plaintiff dated 11.02.2026.

6. It appears from the notice dated 11.02.2026 of the Dy. SLR, Akot, that tomorrow he is going to measure and subdivide the disputed suit field. The plaintiff has come with the case that the defendants have no right to acquire the 5 Are land as mentioned in the notice.

7. In such circumstances, I find if the measurement is carried out it will certainly make demarcation between 5 Are land and rest of the suit field. Possibility of taking its possession can also not be ruled out, if such things permitted to happen without giving fullest opportunity to the plaintiff to argue on his ad-interim application, it would cause prejudice to the plaintiff and would result in multiplicity of suit.

8. Hence, in my considered opinion, it is necessary to direct the parties to maintain the status-quo. Hence, I pass the following order ;

ORDER

1. The application (Exh.13) is allowed.
2. Both the parties are hereby directed to maintain status-quo with regard to suit field and disputed 5 Are land till next date.
3. Defendant No. 1 and 3 to note the order.

Date : 16.02.2026

Place : Akot.

Sd/-

(A. A. Mali)

2nd Jt Civil Judge (Jr.Dn),
Akot, Dist. Akola.