

MHAU050000182024



ORDER BELOW APPLICATION OF PLAINTIFF
RESTRAINING DEFENDANT NOS. 15 TO 18 (EXH.21) IN
R.C.S. NO. 02/2024.

1. Present application is filed by plaintiff to restrain defendant Nos. 15 to 18 from carrying the construction over suit property survey No. 179/2/2/1 situated at Vaijapur till disposal of the present suit.
2. Perused the application, documents filed along with application and say filed by learned Advocate for defendant Nos. 15 to 18. Heard both the Advocates at length.
3. Present suit is filed by plaintiffs seeking the reliefs of declaration and partition. According to the plaintiffs, the suit properties are joint family properties and they are seeking their respective share in the suit properties. As per the say filed by defendant Nos. 15 to 18, shop is already constructed over the suit property survey No. 179/2/2/1. This shows that some sort of construction work is already done by defendant Nos. 15 to 18. If further construction is carried out, the entire nature of the suit property will change and the suit of plaintiffs would become meaningless. Hence, considering present application and say filed by defendant Nos. 15 to 18, I proceed to pass following order:-

((2))

ORDER

1. The present application is allowed.
2. Defendant Nos. 15 to 18 are hereby restrained from carrying out further construction in Survey No. 179/2/2/1 till next date.

Vaijapur.

Date: 21.02.2025.

(Smt. S. K. Khan)

2nd Jt. Civil Judge J.D. Vaijapur.

CERTIFICATE

I affirm that the contents of this P.D.F. file order are same, word to word, as per the original order.

Name of the Stenographer	: Shubham B. Jadhav, Stenographer Grade-III,
Court	: Smt. S. K. Khan, 2 nd Jt. Civil Judge J.D., Vaijapur, Dist. Aurangabad.
Order delivered on	: 21.02.2025
Order signed by the presiding officer on	: 21.02.2025
order uploaded on	: 21.02.2025