

ORDER BELOW EXH.42 IN Spl.C.S.No.70/2022
(CNR No.MHAU050015752022)

Heard Ld. counsel for the plaintiff. She argued that, notices to the defendants were issued through special bailiff, it returned unserved. She argued that, the defendants are intentionally trying to avoid the service of the notice i.e. reason same cannot be served. She argued that, now a days, facility is available to all the parties to view the proceeding of the Court through various modes. The parties can update themselves by viewing the status of the case online. Therefore it cannot be said that the defendants are not aware about the stages of the present case and not aware about the application and the prayer made by the plaintiff. She argued that, it is nothing but an effort on behalf of the defendants to keep aloof themselves from the present case, so as to deprive the plaintiff from getting the relief as prayed by him. She argued that, if relief of status-quo is not granted, the very purpose instituting the suit will be frustrated. So as to avoid further complications and damages to the suit property, it is necessary to pass an order of status-quo. Hence prayed for the same.

2. This Court previously by an order dated 27-07-2022 passed an order, unless the defendants are heard, it is not appropriate to grant add-interim relief as prayed by the plaintiff. Again the Court is of same view because the plaintiff has taken the case on board previously and made an application for add-interim injunction, therefore notices to the defendants were issued, the same returned unserved. In this circumstances interim relief as prayed cannot be granted. Prayer of status-quo required to be rejected. Hence rejected.

Date: 29-07-2022

(R. M. Nerlikar)
Civil Judge Senior Division
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	: Shri. G. M. Zade. (Stenographer Grade-II)
Court	: Shri. R. M. Nerlikar, Civil Judge, Sr. Dn., Vaijapur
Date	: 29-07-2022
Order signed by the presiding officer on	: 29-07-2022
Order uploaded on	: 29-07-2022