

MHAU070041252025



R.C.S./674/2025
Rajendra Vs. Gorakhnath and ors.
ORDER BELOW EXH.5

By this application plaintiff is seeking ex-parte ad-interim injunction against defendant nos. 1 to 4. This is a suit filed by the plaintiff through e-filing for perpetual injunction.

2. Perused the plaint along with documents. Heard the argument of learned Advocate Shri. D. E. Pankade for the plaintiff.

3. The learned Advocate for plaintiff submitted that prima facie case is in favour of plaintiff. In present suit plaintiff sought perpetual injunction to restrain the defendants, their agents, servants, friends, relatives from causing obstruction in his peaceful possession over the suit property.

4. He further submitted that plaintiff and defendant nos. 1 to 3 are the real brothers and they want to construct their house in the land of plaintiff. Plaintiff also issued notice to the defendant nos. 1 to 4 regarding to that illegal activity. But defendants are not ready to co-operate with the plaintiff. If defendants succeeds to construct their house in the land of plaintiff then so much land would consume and it will create

obstruction for the cultivation to plaintiff.

5. As per this application and documents filed by plaintiff and material on record plaintiff sought ex-parte ad-interim relief against defendant nos. 1 to 4. The illegal act of the defendants is required to be stopped by the court order. Taking into consideration the facts of this case and submissions of learned Advocate, I am of the view that before passing any ad-interim ex-parte injunction order against defendants, it would be just to give an opportunity to defendants for filing their say. Therefore, it is necessary to hear the defendants before granting ad-interim relief against them. Hence, I pass the following order;

Order

1. Issue show cause notice to defendant nos. 1 to 4 as to why ad-interim injunction as prayed should not be granted in favour of plaintiff.
2. Emergent process and special bailiff is allowed if desired.

Date:-21/06/2025.
Place : Gangapur.

(M.A.Shaikh)
3rd Jt. Civil Judge (J.D.),
Gangapur.

CERTIFICATE

I affirm that the contents of this P.D.F. file Order is same, word to word, as per the original judgment.	
Name of the Stenographer :	S. P. Ghule.
Court	3 rd Jt C.J.J.D & J.M.F.C., Gangapur.
Date	21.06.2025
Order signed by the presiding officer on	24.06.2025
Order uploaded on	24.06.2025