

ORDER BELOW EXH.5 IN R.C.S.NO.70/2021

Perused the plaint, affidavit, documents filed on record.
Heard learned advocate of the plaintiffs.

2] Learned advocate of the plaintiffs submitted that, defendant has cart way from G.No.33. The defendant has no cart way from the suit property i.e. G.No.27, 28, 29. Tahasildar has issued notice to clear cart way from the suit property. It is prayed to pass ex-parte ad-interim injunction.

3] It is contention of the plaintiffs that the defendant has no cart way from the suit properties. As per contentions there is dispute about cart-way. As per Map, there may be two cart-ways to reach in G.No.30 i.e. from North side and South side. If the plaintiff use cart way from the suit properties, it will cause irreparable loss to the plaintiffs. There is urgency to pass ex-parte ad interim order. Hence, order.

Order

1. Both parties shall maintain status-quo till next date.
2. Plaintiffs shall comply provision under Order 39 Rule 3 (A) of Civil Procedure Code.
3. Issue show cause notice to the defendant as to why temporary injunction shall not be granted.
4. E. P. and S. B. allowed.

Date:-16/03/2021

(S. N. Bhavsar)
Jt. Civil Judge, J.D.
Paithan.

Certificate

I affirm that the contents of this PDF file judgment/order are same, word to word, as per the original judgment/order.

Name of the Stenographer	:	Rakesh R. Pedapalli
Name of the court	:	J.M.F.C., Court No.2, Paithan.
Date of judgment/order	:	16/03/2021
Judgment/order signed by the Presiding Officer on	:	16/03/2021
Judgment/order uploaded on	:	17/03/2021