

MHAU130000042023



Reg Dkst/1/2023

**Zainuddin @ Pashu S/o Mohammad Shafi Vs. Municipal Corporation,  
Aurangabad**

**ORDER BELOW EXH. 41**

By this application, the D.H. sought to prevent J.D. No.2 from carrying out construction to suit property and to obey the judgment and decree which is subject matter of this proceeding.

2. Ld. Advocate for the D.H. pressed this application and prayed to grant at least status-quo order against the J.D. No.2 to prevent suit property from changing its nature at the hands of J.D. No.2.

3. It is to be noted that the J.D. No.2 has filed his reply to this application today and this Court has already posted the matter for hearing this application. Thereafter, Ld. Advocate for J.D. No.2 left the Court hall. Therefore, this Court has no occasion to hear J.D. No.2 on this application today. It is necessary to hear J.D. No.2 before passing any order on this application. If this application is decided only on hearing the D.H., it will not be fair and according to the principles of natural justice.

4. Hence, the matter be posted for argument of J.D. No.2 on this application.

Date :-23.12.2024.

**(Shri. N.H. Tikhe)**  
Civil Judge Senior Division  
(Corporation Court), Aurangabad.

## **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	: S.V. Shinde
Court	: C.J.S.D.(Corporation Court), Aurangabad
Date	: 23.12.2024.
Order signed by the presiding officer on	: 23.12.2024.
Order uploaded on	: 23.12.2024.