

MHAU130000722016



**ORDER BELOW EXH. 31 IN R.C.S.No.41/2016**

(Sandu Ganpat Vs. M.C.A.)

1. Plaintiffs have filed this application to pass an order of status-quo to restrain Municipal Corporation from demolishing their construction over suit property.
2. Case of plaintiffs in short is that, Municipal Corporation is wrongfully demolishing construction of other persons of their locality. Plaintiffs have submitted that, their construction may also be demolished wrongfully by Municipal Corporation.
3. Learned counsel for defendants have given hand written say that this application has no substance. Application of plaintiffs at Exh.5 on the same set of facts is rejected by this Court. There is no change of circumstances since that time till filing of this application. Hence, this application is liable to be rejected.
4. I heard Ld. Counsel for the parties.
5. I perused this application and say submitted. I perused record of this case. In this case, plaintiffs have failed to file any document to show that, their construction over suit property is authorized. Plaintiffs have failed to give date on which officers of Municipal

Corporation have threatened them to demolish their construction. Plaintiffs have failed to lodge report in the police station that, officers of Municipal Corporation are threatening them that, they will illegally demolish their construction.

6. Officers of Municipal Corporation have not issued any notice to plaintiffs that, they will demolish their construction over suit property. This shows that, there is no cause of action to the plaintiffs to file this application. This application is premature. Therefore, I consider that, status-quo cannot be granted in favour of plaintiffs restraining Municipal Corporation from demolishing their construction over suit property. Therefore, I pass this order.

**ORDER**

This application is hereby rejected.

Date :- 21.10.2023

**(Smt. S. N. Morwale)**  
Civil Judge Senior Division  
(Corporation Court), Aurangabad.

**CERITIFICATE**

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	: Smt. M. H. Shamnani, Stenographer (Grade-2)
Court	: C.J.S.D. (Corporation Court), Aurangabad.
Date	: 21.10.2023
Order signed by the presiding officer on	: 21.10.2023
Order uploaded on	: 21.10.2023