

**ORDER BELOW EXH.123**

This is an application filed on behalf of plaintiffs with seeking prayer that, defendant No.1 shall not act upon in terms of order passed by it in file No.2021/जमा-२/कावि-१४३ dated-17/05/2022 read with it's letter No.2025/जमा-१/रस्ता/कावि-७८० dated-19/09/2025 till next date of the matter fixed on 13/10/2025, being interim injunction urgent relief.

2. Defendant No.2 has opposed application by filing say on leaflet itself through his learned advocate. According to him, the application is not tenable and therefore, it requires to be rejected.

3. Defendant No.1 has also opposed application by filing say through learned Assistant Government Pleader Mr. P. N. Maskar. It submits that, the suit is already fixed for an argument on temporary injunction application (Exh.5) on 13/10/2025 and it also ready to tender argument. Hence, it urged to reject application.

4. Heard, the learned advocates Mr. B. R. Dak, for plaintiffs, Mr. V. S. Joshi, for defendant No.2 and Mr. P. N. Maskar, Assistant Government Pleader for defendant No.1, at length. They have argued almost all the facts, which are pleaded by their respective parties, as mentioned supra.

5. Perused application, say and record of the case, minutely. It is matter of record, the suit was kept on 13/10/2025 for tendering an argument on temporary injunction application (Exh.5). Today, the matter is taken on board at the

instance of plaintiffs vide Exh.22. It is evident that, defendant No.1 has issued notice to the plaintiffs at the instance of defendant No.2 and thereby fixed date on 09/10/2025 for removal of obstruction alleged to have carried over suit way. The main suit is instituted for setting aside order passed by defendant No.1 regarding suit way in the aforesaid proceeding. In such circumstances, if defendant No.1 get executed it's said order on tomorrow i.e. on 09/10/2025, very purpose of institution of the suit will be frustrated.

6. On being query made by the court, the learned advocate for the plaintiffs and defendant No.2 as well as the learned A.G.P. have mutually agreed to proceed with temporary injunction application (Exh.5) on next date i.e. on 13/10/2025, without fail. Thus, the parties will have to maintain status-quo regarding suit way till next date. In the result, I pass the following order.

ORDER

- 1) The parties to the suit shall maintain status-quo regarding suit way till next date i.e. on 13/10/2025, subject to they shall tender an argument on Exh.5, without fail.
- 2) The application stands disposed off, accordingly.
- 3) The costs in main cause.

Date :- 08/10/2025.

(S. S. Budruk)
Civil Judge Senior Division,
Majalgaon.

CERTIFICATE

The contents of above order is/are word to word same and found correct in this pdf.

Dictated on : 08/10/2025.
Typed on : 08/10/2025.
uploaded on : 08/10/2025.

Sd/-
(H.B.Suryawanshi)
Steno-Gr.II
C.J.S.D.Majalgaon.