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R.C.S.No.321/2025

MHBI140012242025



RCS. No.321/2025

Chhaya Kolhe & 1 other

vs

Ashok Kolhe & 3 others.

ORDER BELOW EXH. 5

(Passed on 04/07/2025)

1. This is an application filed by the plaintiffs for ex-parte ad-interim injunction against defendant No.1 in respect of the suit property described in para No.1 of the plaint.
2. Heard Learned advocate for plaintiffs.
3. It is argued on behalf of the plaintiffs that, the suit property is ancestral and joint family property of the plaintiffs and defendants. The defendant no. 1 is husband of plaintiff No.1 and father of plaintiff No.2. It is further submitted that, defendant No.1 has sold out some property and is trying to dispose of the suit property. If he succeed the plaintiffs will deprive of their share. In support of their contention the plaintiffs relied upon the documents filed at Exh.4 i.e.
 - i. 7/12 extract of the suit property,
 - ii. Mutation entry of the suit property,
4. It is vehemently argued by the Ld. advocate for the plaintiffs that, defendant No.1 is trying to sell out the suit property to third persons and if he will not restrained he will dispose of the

suit property.

5. Perused the record. Considered the submissions made by Ld. advocate for the plaintiffs. It prima facie appears that, the suit property is standing in the name of defendant No.1. Considering the nature of the suit if defendant No.1 is not restrained plaintiffs will deprive of their share. Therefore, it is necessary, in order to preserve the interest of plaintiffs, to issue ad-interim ex-parte injunction restraining the defendant no.1 from further alienation of the suit property. Hence, following order-

ORDER

1. The application is allowed.
2. Issue ad-interim ex-parte injunction against defendant no.1 restraining him for further alienation of the suit property till his appearance.
3. Plaintiffs to comply Order 39, Rule 3 of the Civil Procedure Code, 1908.

Place- Ashti
Date: 04/07/2025

(Mahesh R. Badakh)
I/c. 3rd Jt. Civil Judge Junior Division,
Ashti.

::3::

R.C.S.No.321/2025

CERTIFICATE

“I affirm that the contents of this PDF file are word to word as per original Judgment / order”

Dictated on : 04/07/2025

Transcribed on : 04/07/2025

Checked & signed on : 04/07/2025

Sd/-

Jalindar B. Pokale
Stenographer (Grade 3)