

MHBU210001542025



Special Civil Suit No.9/2025

Dr. Abhinandan Idarchand Surana

V/s.

Santoshkumar Gondulal Surana & ots.

ORDER BELOW EXH.41

Perused the application and say filed thereon. Heard both Ld. Advocates for the plaintiff and defendant No.7. It is argued by the plaintiff that order of status-quo at Exh.5 is passed on 21/02/2025. Thereafter, plaintiff filed application for extension of the status-quo order. Lastly on 13/10/2025 the plaintiff filed application at Exh.37 and as per order the order of status-quo at Exh.5 is extended till next date. During the period, there was no obstruction by the defendants to the possession of the plaintiff over the suit property. Thus, the plaintiff did not extend status-quo order. However, at present plaintiff came to know that the defendant can take action to take possession of the plaintiff. Thus, it is necessary to grant status-quo.

2. Ld. Advocate for the defendant No.7 argued that the defendant issue notice of taking possession of suit property on 05/03/2025 meantime the plaintiff did not file application to extend status-quo order. Now the plaintiff did not mention any reason for grant of status-quo. The previous status-quo order cannot be continued.

3. In support of his argument he relied upon case law i.e. **Ashok Kumar & others. V/s. State of Hariyana & others. reported in 2007 AIR (Supreme Court) 1411.**

4. Perused application along with say and record of the

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case. It shows that the plaintiff is in possession of the suit property. There is apprehension in the mind of the plaintiff that he may be dispossessed. The case is pending for argument on Exh.5. Considering apprehension of the plaintiff if the status-quo is not granted, the plaintiff may suffer loss and it may also create complications. Considering facts and circumstances of the present matter the case law cited by the defendant is not applicable. Therefore, it will be justifiable to grant status-quo. Accordingly, I pass following order.

ORDER

Status-quo at Exh.5 is granted till next date against defendant No.7, 8 and 9.

Date : 05/02/2026

(T. S. Gaigole)
Civil Judge Senior Division,
Mehkar.

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CERTIFICATE

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| I affirm that the contents of this P.D.F. file order is same, word to word, as per the original order. | |
| Name of the Stenographer Grade II | Balkrishna M. Shilwant. |
| Court | Civil Judge Senior Division, Mehkar. |
| Date | 05/02/2026 |
| Order signed by the presiding officer on | 05/02/2026 |
| Order uploaded on | 06/02/2026 |