

ORDER BELOW EXH.07
(Dated 30.11.2022)

Plaintiffs filed present application for grant of status quo. Plaintiffs humbly submitted that they have filed suit for recovery of possession and permanent injunction. It is required to restrain the defendants from doing encroachment on suit property. In such circumstances defendants need to be restrain from doing further encroachment. Therefore, plaintiffs are praying for grant of atleast status quo in the interest of justice.

2. Heard the learned advocate for plaintiffs. I have gone through the material placed on record. While perusing of record I came to know that, for same suit property R.C.S. No. 14/2022 is already filed and pending in the court, in which plaintiffs of present suit are defendants and defendants of present suit are the plaintiffs. In R.C.S. No. 14/2022 application for temporary injunction has granted infavour of plaintiffs (Defendants of present suit).

3. It is the contention of plaintiffs of present suit that after granting temporary injunction in R.C.S. No. 14/2022 infavour of defendants of present suit, they constructed shed on the suit property. Plaintiffs file photograph of that alleged shed. I perused the R.C.S. No. 14/2022 the alleged shed is already constructed before granting of temporary injunction. It means that plaintiffs of the present suit are not come with the clean hands in such circumstances application for status

quo should not be granted infavour of plaintiffs.

4. Therefore, I come to the conclusion that there is no merit to allow the present application. Hence, to meet the end of justice I pass the following order.

ORDER

Present application is rejected.

(Dictated and pronounced in open Court)

Date : 30.11.2022

(Dr. Vikram A. Avhad)
Civil Judge Jr. Dn.,
Sadak Arjuni.

मी प्रमाणीत करतो की, या पीडीएफ फाईलमधील मजकुर व मुळ न्यायनिर्णय मधील मजकुर हा एकसारखाच आहे.

लघुलेखकाचे नाव : आर. डी. भुजाडे
कोर्टाचे नाव : डॉ. वि. अं. आव्हाड,
दिवाणी न्यायाधीश क. स्तर
व प्रथम वर्ग न्यायदंडाधिकारी, सडक अर्जुनी

न्यायनिर्णय/आदेश दिनांक : ३०.११.२०२२
पिठासीन अधिकारी यांनी सही केलेली तारीख : ३०.११.२०२२
न्यायनिर्णय/आदेश अपलोड केलेली तारीख : ०१.१२.२०२२