

ORDER BELOW EXH.15
(Date 06-07-2021)

The plaintiff filed the present application for granting status-quo.

2. Brief avernments of the plaintiff as follows:-

It is the contentions of the plaintiff that he has filed a suit for perpetual injunction before this court. It is the further contentions of the plaintiff that suit summons and notice of temporary injunction application duly served on the defendant. It is the further contentions of the plaintiff that the defendant appeared in the present suit. It is the further contentions of the plaintiff that the defendant encroaching and constructing a house over the suit property. Therefore, the plaintiff prayed for grant of status-quo.

3. Perused the say filed by the defendant on the present application. The defendant submitted that the plaintiff has filed the present application false and bogus. The defendant further submitted that he has not encroached over the suit property. The defendant further submitted that allegations made by the plaintiff is false and bogus. Therefore, the defendant prayed for rejection of the present application.

4. Heard advocate Mr. P. N. Sagindwar for the plaintiff. Heard advocate Mr. S. K. Bawariya for the defendant.

5. Perused the record. Also perused documents filed by the plaintiff and the defendant. After perusal of record it appears that the plaintiff filed the present suit for perpetual injunction. The plaintiff's advocate submitted that the plaintiff has an apprehension that the defendant would complete construction of his house over the suit property. After considering all the document, avernments of the present application and submission of advocate for the plaintiff it appears that the plaintiff is

only having an apprehension that the defendant may complete a construction of his house over the suit property. Mere apprehension is not a proper ground to grant any relief or remedy in favour of the plaintiff. Therefore, in such facts and circumstances, it is not a proper to grant status-quo in favour of the plaintiff. Therefore, in the interest of justice, I proceed to pass the following order:-

ORDER

The present application of status-quo is hereby rejected.

Date : 06-07-2021

Sd/-
Mohmad Wasim Akram
S/o Mohmad Jalal Sheaikh
Civil Judge, Jr. Division,
Deori