

R.C.A. NO. 41 OF 2026

[Bhagirathibai & Ors. Vs. State of Maharashtra & Ors.]

ORDER BELOW EXH. 05 & 07

These are the applications moved by appellants for grant of ex parte ad interim injunction, alternatively, for grant of ex parte status quo in respect of the suit property as on today.

2] According to appellants-plaintiffs, they are the tenant of the suit premises. Respondent No.3 is the auction purchaser of the suit property in recovery proceeding. Now, respondent No.3 in collusion with respondent No.2 is intending to demolish the suit premises without following due process of law, thereby appellants are having apprehension in their mind. Hence, prayed to issue ad interim ex parte injunction or status quo in favour of the appellants.

3] Heard Ld. Advocate Shri. S.R. Agroya for the appellants. Perused appeal memo, copy of judgment and decree.

4] Ld. Trial Court dismissed the suit filed by plaintiffs for mandatory and perpetual injunction and for recovery of damages for illegal demolition. While replying the issue regarding due process of law by the respondents, Ld. Trial Court gave findings against appellant-plaintiffs. Under such circumstances, before passing any order it is necessary to give an opportunity of hearing to the

respondents. Hence, I pass following order :

ORDER

- (i) Issue notice to the respondents as to why injunction as prayed by the appellants shall not be granted returnable on 08.06.2026.
- (ii) E.P. on P.F. is allowed.

Jalgaon.

Date : 08/05/2026

(S.V. Khongal)
District Judge-1, Jalgaon.