

MHKO050009212026



Jayashri Balu Jagdhane

Vs.

Prakash Rajaram Patil

RCS No. 66/2026

ORDER BELOW EXH.17

The present application has been made by the plaintiff seeking status-quo against the defendant nos.1 and 2 as they are trying to construct illegally encroaching upon common passage way of plaintiff. The defendant nos. 1 and 2 appeared before the Court, however, not filed their say at Exh.5.

2. Perused the application. Heard Ld. Advocate for the plaintiff.
3. Ld. Advocate for the plaintiff she submitted that the defendant nos. 1 and 2 started new construction and encroached upon the passage way (including drainage) which is supposed to be used commonly by plaintiff and defendant's. She further submitted that the defendant's are constructing illegally. The plaintiff also made a complaint to the Ichalkaranji Municipal Corporation on 04/12/2025.
4. To support her grievance the plaintiff also produced on record certified copy of sale deed, photographs of suit property, notice given to the defendant's by Municipal Council, the complaint made by plaintiff to Municipal Council, copy of NCR bearing no.347/2025, etc. The defendant's appeared in the present case. However, they did not file any say to Exh.5 application.

5. On perusal of the sale deed, other document's on record and photographs showing current situation on field, it prima facie appears that the plaintiff will suffer irreparable loss if instant relief is not granted. In my view in the interest of justice and fair opportunity to the parties aggrieved, the present application may be allowed. Hence, I pass the following order;

ORDER

- 1) The application at Exh.17 is allowed.
- 2) The parties are directed to maintain status-quo till next date and not to change present condition of the suit property till next date.

Sd/-

Date: 17/03/2026.
Place: Ichalkaranji.

(M.S. Gawade)
5th Jt. Civil Judge Junior Division,
Ichalkaranji.