



ORDER BELOW EXH.5 IN REG. CIVIL SUIT NO. 116/2021.

**Hanmant Ajit Raut - Vs - Sunil Bapu Ghulande etc.
(CNR No:- MHKO070006952021)**

Vide this application plaintiff is requesting for temporary Injunction restraining defendants and anyone claiming through them from disturbing peaceful possession of plaintiff over the suit property.

2] Heard Learned Adv. Shri. D.B.Patil for plaintiff. Perused the record and proceeding.

3] It is seen from record that plaintiff is owner and possessor of the suit property on the basis of registered Sale-deeds dtd 18/08/2020 and 20/01/2021 respectively. His name is also appearing of the Revenue Record as owner and possessor of suit property. It is further seen from 7/12 extract at Exh.3/2 that defendant nos. 1 to 7 are owners and possessors of land Gat No. 1653 which is adjacent to suit property.

4] From all the above said, *prima-facie*, it is seen that valuable rights of plaintiff are involved in the suit property, and there is reasonable threat to said rights owing to overt act of defendants. Therefore, I am of view that if the rights of plaintiff over suit property are not protected, he will face irreparable loss. Accordingly, I am also of the view that discretion can be exercised in favour of plaintiff. Thus the following order.

ORDER

1. Issue ad-interim *ex-parte* injunction against defendants restraining them from disturbing the peaceful possession of plaintiff over the suit property, till next date or appearance of defendants, whichever is later in point of time.
2. Plaintiff to comply provisions of Order XXXIX Rule 3 of Code of Civil Procedure.
3. Issue notice to defendants as to why the injunction as prayed shall not be granted, the notice made returnable on 03-07-2021.
4. E.B. & S.B. allowed if prayed.

Sd/-

Date : 14.06.2021
Jaysingpur

(**Anand D. Karbhajan**)
Joint Civil Judge (Junior Division),
Jaysingpur.