

MHKO090002002022



ORDER BELOW EXH. 62 IN REG. CIVIL SUIT NO. 141/2022

1. Perused the application. Heard Ld. Adv. Shri. Fagare. Perused the photographs. By way of this application, the plaintiff is claiming status-quo. At Exh. 5 also, the plaintiff claimed interim relief, but ex-parte relief was not granted. Hence, now no such relief can be granted, when there is no change in circumstance. The plaintiff is claiming injunction against defendant Nos. 21 to 24. They have already appeared in the suit. Therefore, the plaintiff can press Exh. 5 itself, rather filing separate application for status-quo. If defendant Nos. 21 to 24 are not filing written statement or they are avoiding to file it, the plaintiff can insist the court to pass 'No w.s.' order against them and if such order is passed, application Exh. 5 itself can be heard and decided. Therefore, there is no purpose to grant any ex-parte status-quo.
2. It is also important to note here that below Exh. 57, defendant Nos. 20, 23 and 24 have filed their written statement. Hence, the matter be fixed for arguments of Exh. 5 and passing suitable order against defendant Nos. 21 and 22.

3. Ld. Adv. for the plaintiff Shri. Fagare prayed that matter shall be fixed on board on 08.09.2022. The prayer is granted. Inform the parties and their advocate, by way of notice. The plaintiff shall file an application requesting to issue notices.

Date : 02.09.2022

(G. V. Deshpande)
Civil Judge Senior Division,
Gadhinglaj