

MHKO090002542013



**ORDER BELOW EXH. 120 IN REG. CIVIL SUIT NO. 59/2013**

1. Perused the application. Heard Ld. Adv. Shri. S. V. Powar. It is submitted that defendants No. 5 is about to obtain loan from Ravalnath Co-Operative Housing Finance Society Limited and for that he is intending to mortgage certain suit properties. Similarly, defendants Nos. 11 to 13 are also trying to transfer certain properties. The paper notice is published by them and therefore, it is very much necessary to grant status-quo in the matter. It is further submitted by the plaintiffs' Advocate that initially, application Exh. 5 was moved against defendants Nos. 1 and 2, but thereafter, defendant No. 1 died and the apprehension regarding transfer did not continue and as such, the application was not pressed by the plaintiffs. However, recently the defendants have again planning to alienate the suit properties and therefore, it has become necessary to file this application.

2. The application was filed on 03.10.2023. On 07.10.2023, the defendants have sought time. However, on yesterday, the defendants did not file any say. I am told that Ld. Adv. for defendant Nos. 5 and 11 to 13 is not feeling well and there is no likelihood that Ld. Advocate will appear before the court. Considering the apprehension of transfer and need of urgent hearing of this application, I find that it is better to grant interim

relief in favour of the plaintiffs, so that the alienation of the suit properties, in any manner, can be restricted till hearing and disposal of application Exh. 120. Hence, the following order -

**ORDER**

1. Defendant Nos. 5 and 11 to 13 are hereby restrained from alienating or mortgaging the suit properties, in any manner, till filing say on application Exh. 120. They shall maintain status-quo with regard to the suit properties.
2. On filing say, both the parties shall argue Exh. 120 without seeking adjournments, otherwise the interim relief will be vacated.
3. The matter will be posted on 07.11.2023.

Sd/-

Date – 27.10.2023

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