



ORDER PASSED BELOW EXH.5
IN REGULAR CIVIL SUIT NO.190/2025

[CNR No.MHKO090005982025]

Heard Advocate for the plaintiff at length. Perused the entire proceeding. It is at length argued by the Advocate for the plaintiff that the defendant is about to construct the road from the suit property without any acquisition or following due procedure of law. Therefore, the act of defendant need to be restrained immediately. I have given thoughtful consideration to the said submission. The last cause of action shown in the plaint is on 11.09.2025. Already one month lapsed from the said cause of action. Therefore, it cannot be said that the delay would defeat the purpose and there is grave emergency. It is also important to note that the plaintiff exempted from issuing Section 80 notice, therefore, in view of Section 80(2), the Court shall not have power to grant any ex-parte relief against the Government without issuance of notice. Thus, I am of the view that this is not case where the ex-parte injunction is granted. Thus, I pass the following order :-

ORDER

- 1) Issue show-cause notice to the defendants as to why the relief of temporary injunction as sought

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by the plaintiffs shall not be granted
r/o.18/11/2025.

- 2) E.P and S.B. allowed, if prayed.
- 5) Plaintiffs to comply.

Place : Gadhinglaj.
Date : 14.10.2025.

(N. S. Puri)
Civil Judge Sr.Dn., Gadhinglaj