



ORDER PASSED BELOW EXH.5
IN REGULAR CIVIL SUIT NO.193/2025

[CNR No.MHKO090006032025]

Heard Advocate for the plaintiff at length. Perused the record. Before dealing with the application, it is desirable on my part to mention the fact that there is caveat application is filed. Therefore, the plaintiff must show the extra-ordinary urgency for getting any relief. On perusal of record, it appears that the plaintiffs claim in representative capacity and submit that the defendants are encroaching on government land. Therefore, it is utmost necessary to grant interim injunction, otherwise the whole purpose of filing the suit will be frustrated.

2. I have given thoughtful consideration to the said submission. It appears that the defendants started construction over the suit property prior to 23.09.2025. Therefore, it cannot be said that the delay would defeat the purpose. It is also important to note that the photographs submitted by the plaintiff itself shows that already the columns are constructed. Therefore, at this juncture, it will not just and proper to grant stay ex-parte. As there is caveat pending, I am of the view that before granting any relief, the other side should be heard.

3. The plaintiff also prayed that the notice of caveat also

be issued to the Advocate on record, who has filed the caveat on behalf of defendant. 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 by the plaintiffs shall not be granted r/o.14/10/2025.
- 2) In additional to regular summons to the defendant, issue additional notice and summons to Advocate S. B. Patole.
- 3) Plaintiffs to supply additional copies of plaint and interim injunction application to be supplied to Advocate S. B. Patole.
- 4) E.P and S.B. allowed, if prayed.
- 5) Plaintiffs to comply.

Place : Gadhinglaj.
Date : 09.10.2025.

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