

MHKO100010802023**ORDER BELOW EXH. 20**

This is an application filed by plaintiff under Order XXXIX Rule 1, 2 read with section 151 of the code of civil procedure, for the grant of ad interim temporary injunction against defendants. Defendants filed their say on back of the application.

2. Read application and say. Perused plaint and documents on record. Plaintiff files said suit for perpetual injunction. As per version of the plaintiff, he is in the possession of suit property as per registered sale deed no. 1347/2020 and supplementary sale deed dated 31-03-2023 before Notary.

3. Suit property is 0.86 R vacant land and shops thereon. From perusal of above registered sale deed it is seen that Shankar Shingate sold out 0.86 R area to the plaintiff, but it not given ownership of shops over it to the plaintiff. Later on by execution of supplementary sale deed before Notary Advocate Shankar Shingate given ownership of shops to the plaintiff. As ownership of shops not given to the plaintiff by registered document, it cannot be presumed that plaintiff is in possession of suit property as claimed by him. Plaintiff filed temporary injunction application at Exh. 5. So prima facie it is not necessary to grant ad interim injunction in favour of plaintiff. His prayer can be considered while adjudication of temporary injunction application at Exh. 5. So this application

deserves to be rejected. Hence, I pass following order.

ORDER

Application is rejected.

Place. Gadhinglaj.
Date : 27/08/2024

D. M. Pawar
2nd Jt. Civil Judge Jr. Dn.
Gadhinglaj