

**Order Below Exh.05**

(Ramchandra Govind Belekar Vs Santosh Patil and others)

This is a suit for mandatory and perpetual injunction as well as recovery of the money. Notices were issued to defendants. But, return with report as, “*both the defendants left to Pune*”. Caveat is on record in the present case. After perusal of the Caveat it appears that, caveator Mr.Santosh Ramrao Patil, i.e. defendant no.1, in the present suit, has mentioned his address as R/o at Ambap, Tal. Hatkanangale, Dist. Kolhapur. In such circumstances, notices were issued on the said address. Prima-facie it appears that, plaintiff has made his attempt to serve the notice on the address provided by the caveator.

02. Heard learned advocate for the plaintiff.

03. After perusal of the record, public notice published in the news paper and notices issued by advocate, it appears that *prima-facie*, defendants are evading to repay the amount or to fulfill the conditions as allegedly agreed in the agreement dated 07/04/2016. In such scenario, right of the plaintiff should be protected by granting ad-interim injunction in respect of creating third party interest of the suit property. Prima-facie, case is made out and apprehension in the mind of the plaintiff is reasonable. Hence, I proceed to pass the following order -

ORDER.

1. Ad-interim injunction is granted and defendant no.1 and 2 are hereby directed not to create any third

party interest in nay nature in respect of the suit property till next date.

2. Issue notice to defendants, R/o 02/02/2026, asking why ad-interim injunction can not be continued till disposal of the suit.
3. Plaintiff is hereby directed to make the compliance as per order XXXIX (3)(b) of Code of Civil Procedure.

Date :20/01/2026.

(Shrinivas A. Kulkarni.)
Civil Judge Junior Division,
Peth-Vadgaon.