



Order Below Exh. 06 In R.C.S. No. 65/2025

CNR No. :-MHKO110003842025

Passed On 13/03/2025

This is an application moved by the plaintiff showing apprehension and urgency and thereby seeking directions against defendants for maintain status quo till next date.

02. Plaintiff submitted that, they have filed this suit for partition and permanent injunction against the defendants. In respect of suit property bearing No.1-A to 1-F (more particularly described in the para No.1 plaint). According to the plaintiff the suit property are their joint family properties. Even other wise 7/12 extract of the suit property bears the name of the plaintiff and defendants. By taking dis advantage of the said entries defendants are in moved to create third party interest over the suit property. Even they started move in this regard. The plaintiff is having strongly apprehension that, defendants may create third party interest or alienate the suit property. If the status quo is not granted than very purpose of injunction would be defeated by delay. Therefore, he beseeches the status quo order against the defendants. The plaintiff has relied upon list of document submitted at Exh.3.

03. Perused the application, record and proceeding. Heard. It is pertinent to note that, the status quo ad-interim temporarily injunction order can be granted only, when a party shows they have strong prima-facie case. According to plaintiff that defendants are trying to alienate suit property, if the same is not restrained, there is possibility of object of granting injunction would be defeated by delay. This is a suit for partition and injunction. 7/12 extract of the suit properties bears the name of plaintiff and defendant as co-sharer. Notice publish by the plaintiff collaborate the apprehension of the plaintiff. As the plaintiff has sworn on

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oath that, and show the apprehension. Considering the nature of suit in order to avoid the multiplicity of litigation and to prevent the matter from becoming more complex, without touching the merit of this case it will be appropriate to pass status quo against plaintiff and defendants that, not to alienate suit property or not to create third party interest over suit property. Thus, I proceed to pass following order.

ORDER

1. Both the parties are hereby restrained from creating third party interest and alienation of the suit property till next date.
2. Plaintiff to comply the mandatory requirement of Order 39 Rule 3(A) of The Code of Civil Procedure, 1908.

Date : 13/03/2025
Peth-Vadgaon.

(S. D. Sonawane)
Jt. Civil Judge Junior Division,
Peth-Vadgaon.