


MHKO110006152026 	<p style="text-align: center;"><b><u>ORDER BELOW Exh. 05 in</u></b> <b><u>R.C.S. NO. 57/2026</u></b></p> <p style="text-align: center;"><b><u>Anusayabai Gunda Lohar and Ors.</u></b></p> <p style="text-align: center;"><b><u>Vs.</u></b></p> <p style="text-align: center;"><b><u>Bharati Kantinath Lohar and Ors.</u></b></p>
---	--

The plaintiffs in the present suit are praying for ex-parte ad-interim injunciton against the defendants.

2. Perused the record. Heard the learned advocate for plaintiffs.

3. The Ld. Advocate for the plaintiffs submitted that, the suit property is the ancestral joint family property of the plaintiffs and the defendants. They are in joint possession of it. The plaintiffs learnt about the defendants having filed a suit for partition at Vadgaon Court bearing R.C.S. No. 95/2024 in the proceedings bearing L.A.R. No. 117/2025 instituted in the court of Civil Judge Senior Division, Kolhapur. The plaintiffs on inquiry their reason of non impleadment in the suit, the defendants threatened them with dire consequences and stated that, they would carry out construction on the suit property. If, the construction is allowed then it would defeat the rights of the plaintiffs in the suit property resulting in irreparable loss to them. The defendants have started construction on the suit property Hence, they prayed to grant ex-parte ad-interim injunction against

the defendants.

3. On perusal it appears that, the present suit is filed for perpetual injunction against the defendants. Prima facie it appears that, the plaintiffs have not filed any documents on record to show that the defendants are carried out construction activity on suit property or that they have threatened plaintiffs with consequences.

4. Therefore, at this stage, after giving a thoughtful consideration to the documents produced on record it appears that, there is no urgency or exceptional factors and circumstances which warrant grant of *ex-parte ad-interim injunction* order. Hence, having considered this aspect it is not desirable to order *ex-parte ad-interim injunction* against defendants. Issue show cause notice to the defendants as to why temporary injunction should not be granted returnable on 13/04/2026. E.P and S.B. if required be allowed.

sd/-

Date : 10/03/2026

( R. S. More)

Place: Peth-Vadgaon

3<sup>rd</sup> Jt. Civil Judge, Jr. Dn.,

Peth-Vadgaon