



Order Below Exh. 5 In RCS No. 232/2022
CNR No. :- MHKO110018052022
Passed on 08/11/2022

This is an application moved by the plaintiff showing apprehension and urgency and thereby seeking directions against defendant No. 1 to 3 for maintain status quo till next date.

02. The plaintiff submit that, in view registered sale deed the father of the plaintiff was owner and possessor of the suit property. After his death the suit property succeeded in their favour. Since, then they are in peaceful possession over suit property. However, by taking this advantage of name in 7/12 extract the defendant No. 4 to 8 sale the suit property to defendant No. 1 to 3. Further various litigation adjudicated by the competent court in favour of plaintiff actually defendant No. 4 to 8 have no right interest in the suit property. The said sale deed is not binding on the plaintiff. The plaintiff have strong apprehension that, by virtue of alleged sale deed defendant No. 1 to 3 trying to obstruct the peaceful possession of the plaintiff. Hence, very purpose of Exh. 5 will be defeated. They relying upon the document filed along with Exh. 3. Therefore, he beseeches the status quo order against defendant No. 1 to 3.

03. No doubt to say that the status quo order can be granted only, when a party shows he has prima-facie case. This is a suit for declaration and injunction. As the plaintiff has sworn on oath that, and show the apprehension. Perused the application, record and proceeding, documents filed along with it. 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

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this case it will be appropriate to pass status quo against defendant No. 1 to 3. Thus, I proceed to pass following order.

ORDER

1. Application is allowed.
2. Both the party is hereby directed to maintain status-quo till appearance and filing say.
3. Plaintiff shall comply order 39 Rule 3 of The Code of Civil Procedure, 1908.
4. Emergency process as per Chapter 24 Para 488 clause IX of Civil Manual is allowed.

**Date : 08/11/2022
Peth-Vadgaon.**

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