

**MHKO120007322024**



**Reg.Civil Suit No.128/2024**

(CNR No.MHKO120007322024)

**Order below Exh.5**

Perused the application supported with affidavit and documents filed on record. Heard Ld. Adv. Shri. D.M.Sutar for plaintiff. I have gone through documents. The plaintiff has purchased the suit property. The defendant has started the construction of Apartment by making the encroachment of 4.5 ft X 50.00 ft. It is causing inconvenience to the plaintiffs. The defendant has not left the margin and started the construction.

02. I consider submission of Ld. Adv. Shri.D.M.Sutar. It is apparent on the record that the plaintiff has knocked the door of Tahasildar and Grampanchayat by making report of the construction. However, an opportunity of hearing needs to be given to the defendants in order to decide this application on merits. Hence, I think issuance of show cause notice to the defendant would be proper and suffice the purpose. Hence, I pass following order.

**ORDER**

- 1) Issue Show Cause Notice to defendant as to why the interim reliefs sought by the plaintiff should not be granted in his favour R/o.02/01/2025.

2) E.P. and S.B. is allowed, if required.

Date : 23/12/2024

**( V. V. Kulkarni )**  
Civil Judge Junior Division,  
Gargoti