

MHKO120007322024



Reg. Civil Suit No.128/2024

(CNR No.MHKO120007322024)

Common Order below Exh.10 and 11

Perused the application and say. Heard both sides. Today, defendant No.1 appeared through Ld. Adv. Shri.A.B.Morskar and sought time to file written statement and say. On the contrary, the plaintiff has sought to pass status-quo order for restraining the defendant from raising the construction. However, initially the construction has started in the month of March, 2024 as per the pleadings of the plaintiff. Substantial time has lapsed from commencement of the construction to the filing of this suit. This fact is not at all disputed by the defendant. However, the plaintiff has filed on record the current situation of suit property. Hence, I do not found any extraordinary circumstances to grant status-quo. An opportunity needs to be given to the defendant for filing written statement and say. The specific directions needs to be given to the defendant to file his written statement and say on or before next date without fail. In result, I pass following order.

ORDER

- 1) The application (Exh.10) is allowed.
- 2) The application (Exh.11) is rejected.
- 3) The defendant shall file written statement and say on order before next date without fail.

Date : 02/01/2025

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