



ORDER BELOW EXH. 05 IN R.C.S.No.
75/2024

Akkatai Bhupal Gharal etc.05 Vs. Sadashiv Appaji Gharal
etc.02

CNR –MHKO130004822024

01. Today plaintiff no. 2 is present. Heard learned Adv. Shri. K.S. Patil for the plaintiff. It is submitted that the suit property is yet not partitioned. In spite of such factual aspects, defendant no. 1 is constructing in the suit property. The construction is at initial stage. Thus, as per the plaintiff, if construction is permitted to carry on in future, then it may cause hurdle to the plaintiffs to enter in their property. Thus, the plaintiffs are seeking for the ad-interim injunction.

02. Perused the record. Gone through the documents, it is not in dispute that, name of the plaintiff as well as defendants are there in the property-card of C.S no. 653. Photographs filed on record prima-facie denotes the progress of construction. Apparently, construction is at initial stage. Thus, for avoiding future complications in the suit, following order is passed:

ORDER

1. Ad-interim injunction is issued against defendant no. 1.
2. Defendant no. 1 is hereby restrained from carrying out further construction in the suit property till his appearance before the Court.
3. Issue show cause notice to defendant no. 1 as to why ad-interim injunction should not be confirmed

against him. R/o. 06/04/2024.

4. The plaintiff to comply as per the provision of Order 39 Rule 3 of Code of Civil Procedure.

Kagal.
Date: 27/03/2024.

(A. B. Jawale)
Jt. Civil Judge Jr. Division Kagal.