



ORDER BELOW EXH. 05 IN R.C.S.No.
99/2023

Ajay Namdev Jadhav Vs. Vinaysingh Pandurang
Chougale

CNR –MHKO130006822023

01. Perused the record. Heard Advocate Shri. S.S. Kestikar for the plaintiff. The suit is filed for seeking declaration in respect of registered sale-deed that was allegedly & forcibly executed as per the plaintiff by the defendant from him on dtd. 20/09/2022 by way of registration No. 2204/2022. By way of execution of the sale-deed, name of the defendant is entered to the 7/12 extract of the suit property.

02. The plaintiff has pleaded that, alleged transaction is nothing but the transaction of private money lending. It is pleaded that, the plaintiff has repaid loan amount to the defendant that he was allegedly taken by him. Under the threatening, the defendant got executed such a false sale-deed of the suit property from the plaintiff. The plaintiff was owner of suit property and he has expended more than Rs. 50,00,000/- over the suit property for constructing the house.

03. The photographs of the house constructed in the suit property is on record which demonstrates that, construction of house is almost complete. The plaintiff is having strong apprehension of alienation at the hands of defendant. The same is made on affidavit. If this defendant succeeds in alienation of the suit property then it may cause complications if any in the suit. Resultantly, to avoid complications in the future if any, it will be better to restrain at this stage to the defendant from alienating the

suit property till his appearance in the suit. Resultantly, following order is passed:

ORDER

1. Ex-parte ad-interim injunction is issued against the defendant.
2. The defendant is hereby restrained from alienating the suit property in any form to anyone till his appearance in the suit.
3. Issue show cause notice to the defendant as to why ex-parte ad-interim injunction issued against him should not be confirmed. R/o. 23/06/2023.
4. The plaintiff to comply as per the provision of Order 39 Rule 3 of the Code of Civil Procedure.

Kagal.
Date: 17/06/2023.

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