

MHKO190004572016



ORDER PASSED BELOW EXH.52

IN

R.C.S No.105/2016

Sou.Rohini Rangrao Khot etc.3 Vs. Vitthal Gopal Patil
thr.L.R etc.7

(Date:23/10/2023)

Defendant Nos.2(A) to 2(C) have filed the present application for setting aside No W.S order passed against them.

2. Plaintiffs have filed their say on the application itself and strongly opposed the application.

3. Heard both the sides. Perused the record. It appears that plaintiffs have filed present suit for the relief of partition, separate possession, declaration and perpetual injunction. The subject matter of the present suit is an immovable properties. The valuable rights of defendant Nos.2(A) to 2(C) are involved in it. If the suit is proceeded without W.S of defendants Nos.2(A) to 2(C) then it would be cause prejudice to their rights.

4. Considering the above said discussion, I am of the view that No W.S order passed against defendants Nos.2(A) to 2(C) is to be set aside. For delay, costs of Rs.500/- is to be saddled upon defendants Nos.2(A) to 2(C). In the result I pass following order.

- ORDER -

1. The application below Exh.52 is allowed and No W. S order passed against the defendants Nos.2(A) to 2(C) is set aside subject to costs of Rs.500/- payable to plaintiffs.

2. Defendant Nos.2(A) to 2(C) shall pay the costs amount to plaintiffs on or before next date.

3. Parties to comply accordingly.

Sd/-

(D. M. G. Malidwale)

Civil Judge Junior Division,
Radhanagari.

Date:23/10/2023