

R.C.A. No.06/2026
Parvatibai V/s. Vishwanath
CNR No. MHLA010002452026

ORDER BELOW EXH.5

The learned counsel of the appellant is pressing for ex-parte temporary injunction order. Heard learned counsel of the appellant at length. It is the case of the appellant that she became owner of the suit property Gat No. 37 adm. 0 H. 64 R. on the basis of compromise between her and her husband. It is the case of the respondents/defendants that the property Gat No. 37 adm. 0 H. 64 R. land is ancestral property and conniving towards right and interest of other members in the family, appellant's husband entered into compromise. I have gone through the judgment. Learned trial court also recorded negative finding on the issue of ownership of the appellant. In the background of such set of facts, I think that the respondents are required to be heard before passing any order. This is not the case where exception is to be made to the general rule of issuance of notice to the respondents before passing any order. Hence, issue notice to the respondents as to why temporary injunction prayed should not be granted.

Date : 14/02/2025

(Vidyadhar S. More)
Adhoc District Judge-1, Latur