

Order below Exh. 5
(Dated 30.05.2020)

On behalf of the plaintiff Adv.Shri.S.B.Phad has argued that, the plaintiff is the owner and possessor of the suit land. The suit land was acquired by defendant no.4. Defendant no.5 to 7 in collusion with defendant no.4 trying to grab the compensation amount of the suit land. Defendant no.5 to 7 is trying to obstruct over the possession of the suit land. If, defendant no.4 has disbursed the compensation amount and defendant no.5 to 7 have withdrawn the same then it will cause prejudice to the rights of the plaintiff. If, defendant no.5 to 7 have not restrained from obstructing the possession of the plaintiff over the suit land then it will also cause prejudice to the rights of the plaintiff. He has further argued that, the plaintiff has challenged the order of S.D.O, Ahmedpur in the Writ Petition before the Hon'ble High Court, Aurangabad and the stay was granted. He has further prayed that, the ad-interim injunction be granted in favour of the plaintiff.

2) I have perused the plaint, temporary injunction application and the documents filed on the record. At this stage prima facie case is not made out by the plaintiff. If, without hearing defendant no.4 to 7, the ad-interim injunction is granted in favour of the plaintiff then it will be not proper. Therefore, I pass the following order -

ORDER

- 1) Issue temporary injunction notice against defendant no.4 to 7 as to why injunction should not be granted in favour of the plaintiff, on 05/06/2020.

2) E.P. is allowed, if prayed.

Ahmedpur.
Date : 30/05/2020.

(A.R.Surve)
Civil Judge Senior Division
Ahmedpur.

Certified that PDF copy of Order supra is word-to-word identical to the original Order.

By Court

Dictated on : 30.05.2020

Checked on : 30.05.2020

Signed on : 30.05.2020

Uploaded on : 01.06.2020