

:: Order below Exh.05 in Reg. Civil Suit No.11/2021 ::
(Sow. Bhagirathabai..Vs..Sub-Divisional Officer & Ors.)
[CNR No.MHLA05000230-2021]

Heard the advocate for plaintiff. Read the application. It is contention and submission of the plaintiff that, the suit property is ancestral property. The plaintiff has share in the suit property. Some of the suit property was acquired by the Government and the compensation amount of Rs.62,21,721/- was awarded. Now, defendant No.1 is going to deposit that compensation amount in name of defendant No.2. If the amount of compensation is deposited by defendant no.1 in account of defendant no.2 then he will withdraw the amount. It is apprehension in the mind of plaintiff that, she will be deprived of her share in the compensation. Hence, the plaintiff has filed the suit for perpetual injunction. Advocate for plaintiff submitted that, the ad-interim injunction relief may be granted against defendant Nos.1 and 2.

02. In the present suit, defendant No.1 is Government. The plaintiff has got waived the notice u/s. 80 of C.P.C. Therefore, in the present suit, I think fit to call say of defendant Nos.1 and 2 instead of granting ad-interim relief against them in favour of the plaintiff. In the result, I pass the following order.:

:: O r d e r ::

- 1) Issue notice to the defendant Nos.1 and 2 as to why temporary injunction should not be granted against them. Returnable on 31.07.2021.

2) E.P. and S.B. is allowed, if required.

Date : 22-07-2021.

Sd/-
{ P. A. Savadikar }
Civil Judge Sr. Division,
Ahmedpur.