

Order passed below Exh. 252

Present application is filed by the defendant under Order 39 Rule 2-A of the CPC to take action against the plaintiffs for the breach of injunction order passed below Exh. 68. The plaintiff has filed say on the application. But it is necessary to mention here that as per the ratio laid down by the Hon'ble High Court in the case of **Ramparibai Sukhdev Daga and others Vs. Niladevi Narayandas reported in 2007(4) Mh.L.J. 213**, the application under order 39 Rule 2-A of the CPC is necessary to be registered as separate Misc. Application as same cannot be decided with the main suit and same is of criminal nature. Therefore, it is necessary to direct the defendant to file a separate miscellaneous application. Hence, I pass following order.

ORDER

Defendants are directed to file the separate miscellaneous application for the breach of injunction order.

Nilanga.
Date : 09.08.2018.

Sd/-
(R. P. Kulkarni)
Civil Judge Senior Division
Nilanga.