

ORDER BELOW EXH. 05 in RCS No. 70/2023

1. By way of this application, plaintiffs are claiming ex-parte ad interim injunction against defendants.
2. Read plaint, documents annexed with it, heard learned Shri D.P.Manathkar, Advocate for plaintiffs. Plaintiffs are claiming their share of partation being legal heir of Bhaurao S/o. Rauji Dave. Order XXXIX Rule 2 of Civil Procedure Code speaks about when there is grave danger of alienation of the suit property, the party may apply for temporary injunction against the defendant. In present case if no ad interim ex-parte injunction granted then plaintiff's may suffer irrepearable loss may cause to them. Considering the nature of suit, claim of plaintiffs being related to partition in ancestral property, this court pass following order.

ORDER

1. Issue notice to defendants returnable on 18.10.2023.
2. Till then, defendants are restrained from alienating the suit property. Plaintiffs are directed to comply with the provisions contained in Order XXXIX Rule 3 of C.P.C. and file service affidavit.

Date : 13.10.2023.

Sd/-
(Q.R. Syed),
Joint Civil Judge, JD, Ardhapur.