

Spl. C.S. No.60/2025  
Sudesh Vs. Ramaji

**ORDER BELOW EXH.05**

(Passed on 19.11.2025)

This is an application filed by the plaintiff for grant of ex-parte temporary injunction against the defendant. Heard the Ld. Advocate Shri. A.J.Mulmuley appearing for the plaintiff at length. Perused the plaint, affidavit and documents. From the documents it reveals that the agreement to sale on which the plaintiff is going to be rely is not signed by the plaintiff himself. As such the document of agreement to sale does not come under the definition of the agreement. However, as per Order XXXIX Rule 3, granting an ex-parte injunction is an exception, whereas notice is the Rule. At this stage, the plaintiff failed to bring his case under the exception. Hence, issue show cause notice to the defendant as to why injunction should not be granted against him as prayed returnable on 29.11.2025. E.P. and Special Bailiff is allowed as per rule.

Place : Saoner.  
Date : 19.11.2025

( S. A. Sardar )  
Civil Judge Senior Division,  
Saoner, Dist. Nagpur.