

REG. CIVIL SUIT NO.4/2022**ORDER BELOW EXH-07**

(Passed on 13.01.2022)

Perused the contents of application and say filed thereon. Heard learned counsel Shri.Khante for the plaintiff and learned counsel Shri.Nafde for the defendant at length. By this application, the plaintiff prayed to grant status quo.

2. It is settled principle of law that for maintaining the status quo the exact position of subject matter must be on record. In absence of exact status of the subject matter, status quo cannot be granted. In the case in hand, the learned counsel for the plaintiff submitted that the photographs filed on record at Sr.No.12 shows the exact position of alleged construction. But here it is pertinent to note that said photographs are filed alongwith the plaint i.e. on 10.01.2022. No exact position of alleged construction is brought on record today. As the photographs filed at Sr.No.12 shows the same were captured on 09.01.2022. Hence, in absence of exact position of alleged construction on today itself, it is not proper to grant any status quo. Considering the urgency of plaintiff, it will be proper to direct the defendant no.1 to file his reply to the application of temporary injunction on 17.01.2022 without fail.

Narkhed
Dt. 13.01.2022

(Nitesh B. Rathod),
Civil Judge (J.D.), Narkhed.

Argument heard on	13.01.2022
Order passed on	13.01.2022
Transcription ready on	13.01.2022
Order checked and signed on	13.01.2022

CERTIFICATE

I affirm that the contents of this P.D.F. file of order are word to word correct, as per original order.

Name of Stenographer-A.Y.Kulkarni