

ORDER BELOW EXH.36

(Dated 26th November, 2024)

The plaintiff has filed this application for the status-quo. The plaintiff contended that the plaintiff received the Letter dated 31.07.2023, that the Defendant trying to create third party interest in the suit property, as well as, also on the basis of the dummy Sale Deed trying to mutate their names in the Revenue Record. Hence, in the said matter until the plaintiff get relevant document, a status-quo may kindly be granted.

2. The Defendant filed his say and strongly opposed the Application which submission that the Application devoid of merit. The plaintiff have not filed any Application under Section 39 Rule 1 and 2 of CPC for grant of temporary injunction and without the said Application, thus, the Application for grant of status-quo is not maintainable. The plaintiff have prayed for the relief of permanent injunction with respect to the alienation of the suit property. Hence, as per the law they cannot claim interim relief which they have not prayed as a main relief in the plaint. The plaintiff has not filed any proof to prove their apprehension of alienation of the suit

::2::

property. Hence, in the absence of the same, the status-quo cannot be granted. Hence, the application may kindly be rejected.

3. Heard Learned Advocate for the Plaintiff and Learned Advocate for the Defendant. The plaintiff has filed this application on 08.08.2023 to maintain the status-quo of suit property till the plaintiff got the relevant documents. It is an apprehension of the plaintiff that on the basis of the Sale Deed the plaintiff trying to dispose off the suit property or to mutate their names in the Revenue Record. But, the plaintiff has not filed any document on record in support of the contention. Moreover, it is admitted that, there is no any Application for temporary injunction filed by the plaintiff and without the said application the plaintiff is seeking the status-quo to maintain the suit property. Considering all these facts and circumstances, there is no any merit in the application. Hence, I pass following order.

ORDER

- 1.** Application Exh.36 is hereby rejected.

Parseoni.
Date 26/11/2024

(G.O.Wankhade)
Civil Judge Junior Division,
Parseoni