

FIRST ORDER BELOW EXH. 5
(Passed on this 24th March, 2022)

Perused the application. Heard Ld. Counsel Sau. J.I. Pawar for the plaintiff. Present suit is filed for the Relief of removal of encroachment and possession. It is contended in the application that, defendant No. 4 is adjoining plot holder and owner of plot No. 20. He has encroached over the plot of plaintiff by starting the construction. The plaintiff prayed to grant ad-interim ex-party injunction against defendant No. 4. Facts of the application shows that main prayer of the plaintiff is for the removal of encroachment. In order to show encroachment there must be measurement map prepared by competent authority. In the present case there is no such map showing exact measurement of encroachment. In this situation it would not be proper to pass any order without hearing other side. Hence, following order is passed.

ORDER

1. Issue notice to the defendants.
2. E.P. and S.B. are allowed, if required, subject to payment of bhatta.

Kalmeshwar.
Date : 24.03.2022

(H. N. Pole)
Jt. Civil Judge Junior Division,
Kalmeshwar, Dist. Nagpur.

ENDORSEMENT

Application Argued on	:	24.03.2022
Order dictated on	:	24.03.2022
Transcription Ready on	:	24.03.2022
Order checked and signed off	:	24.03.2022

C E R T I F I C A T E

I affirm that the contents of the this PDF file order are same word to word,
as per the original Order.

Name of the Stenographer :- R. S. Daware (Gr. III)