



ORDER BELOW EXH. 29 & 31

1. Heard, Shri. G. D. Shinde, Advocate for the plaintiffs. Heard Shri. A.S. Sanap, Advocate for defendant Nos.01, 02, 06 & 07. Read application and say. Gone through the documentary evidence Exh.3/1 to Exh.3/8.
2. After going through the pleadings and documentary evidence it transpires that, plaintiff No.03 has filed this suit for partition and declaration and injunction on behalf of herself and as guardian of plaintiff Nos. 01 & 02. It is pleaded by plaintiffs that defendant No.02 is in attempt to sale out suit properties to third parties and has accepted amount for the consideration of the same. If he is not restrained plaintiffs will suffer irreparable loss which cannot be compensated. Hence prayed to pass status-quo order against defendant No.02 till the order of Exh.05.
3. Advocate for defendant Nos.01, 02, 06 & 07 has given his no objection to the application and filed say that status-quo may be granted till the order of Exh.05. Defendant No.01 is also present and submitted that status-quo may be granted. She has also submitted that defendant No.02 is trying to sell the suit property to third person.
4. It seems that plaintiffs have arguable case. Plaintiff Nos. 01 & 02 are minors and if defendant No. 02 is not restrained to sell the suit property further it will create multiplicity of the

proceeding. Advocate for defendants has also given his no objection to order same. In such circumstances, if defendant No.02 is not restrained, the injunction application of the plaintiffs will futile. Balance of convenience lies in favour of the plaintiffs. In the result, I pass the following order.

ORDER

1. Issue show cause notice to defendant No.02 with direction to maintain status-quo, as on today, in respect of suit properties.
2. The status-quo to remain in force till order on the application below Exh.05. However, it is clarified that if plaintiffs failed to conduct and argue on the application vide Exh.05 after filing written statement by defendant No.02 without reasonable cause, the order shall stand vacated.
3. The plaintiff is directed to comply as per O.39 R.3 of the Civil Procedure Code.
4. The E.P& S.B allowed. If the plaintiffs pays E.P and S.B. charges.
5. The notice r/on 01.04.2025.
(Pronounced in Open Court)

Date- 24.03.2025

(S.P. Deshpande)
Civil Judge Junior Division,
Niphad