

ORDER BELOW EXH. 25

Gulab and others V/s Rakhmabai and others

Read the application and say filed by respondents. Perused record. Heard both the Counsels.

2] This is a suit filed for injunction and declaration. Wherein application for granting status-quo is filed.

3] It is submitted on behalf of applicant that, the respondents have not filed their say and w.S. till date. Meanwhile, defendant No. 6 has executed Sale Deed infavour of one Manik Piraji Chavan and therefore, it is necessary to grand status-quo till filing say of respondents.

4] By filing say, respondents resisted the application. It is submitted that, respondent No. 6 has sold the property to Manik Piraji Chavan. The present applicant raised objection before Revenue Authority for mutation entry of that Manik Piraji Chavan. This being a position, if the application is allowed, the order would be infructuous and unexecutable, since, the suit property is already disposed off by defendant No. 6.

5] It can be gathered from the oral submission of both the parties that, the suit property is sold by respondent No. 6 to Manik Chavan. Admittedly, the subsequent purchaser is not party to the suit. The application for amendment for addition of that Manik Chavan is under

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consideration. Therefore, status-quo cannot be granted against the person who is not a party to the suit. Hence, I find no substance in the application. The application being devoid of merit, deserves to be rejected and it is disposed off accordingly.

Sd/-xxx
(Vijay C. Gawai)
Civil Judge Junior Division,
Pimpalgaon (B.), Tal. Niphad,
Dist. Nashik.

Date : 19/12/2018