

MHOS150010242024



Order Below Exh. No. 21

1) This is an application filed by the defendants no. 1 & 3 for stay of suit as per the provisions of section 10 of Code of Civil Procedure. Plaintiff filed say and objected the application. As per the provisions of section 10 of Code of Civil Procedure only the suit in which the matter in issue is also directly and substantially in issue in a previously instituted suit between the same party or between parties under whom they are any of them claim cannot be continued and can be stayed, during the pendency of the earlier filed suit.

2) In this matter the earlier filed suit R.C.S.No. 20/2020 is filed for partition and separate possession. The present suit is filed by the plaintiff for grant of injunction against defendant on the basis of possession. The plaintiff is claiming to be owner and possessor of the suit property as per the partition.

3) The issue involved in this suit is not directly and substantially in issue in the earlier filed suit R.C.S.No. 20/2020, the plaintiff can claim relief for protection of his possession on suit property and therefore there is no necessity to stay the present suit. Therefore application is not tenable. Hence, I proceed to pass the

following order.

ORDER

Application is rejected.

Date:- 07/01/2026.

(Dilip G. Jagtap)
Jt. Civil Judge (Jr. Dn.), Paranda.

CERTIFICATE

I affirm that the contents of this P.D.F. File Judgment/Order are same, word to word, as per the original Judgment/Order.

Name of the Stenographer	Shri. V.N.Phurade
Name of Court	Shri. Dilip G. Jagtap, Jt. C.J.J.D. and J.M.F.C., Paranda
Date of Dictation	07/01/2026
Judgment signed by the P.O. on	07/01/2026
Judgment/Order uploaded on	07/01/2026