

ORDER BELOW EXH.22

RCS No. 19/2024
Abdul Kadar Abdul Hamid Shaikh & Ors.
-Vs.-
P. C. M. C. & Ors.

CNR NO.MHPU100000242024



ORDER BELOW EXH. 22 IN R.C.S. No. 19/2024.

This application is filed by the plaintiff to seek *status quo* against the defendants. It is alleged that the defendants have received earnest amount towards the transaction regarding the suit property from the plaintiff. Instead of that, on the suit property, illegal construction is going on. Hence, the plaintiff prayed for *status quo*.

2. The defendant no. 2 filed say to this application at Exh. 23. It is contended therein that the document on which plaintiff is relying is not registered document at all. The plaintiff did not add the owner of the property in the suit. Similar suit no. 195/2024 filed on 01/02/2024 in another suit. The Pimpri Chinchwad Municipal Corporation has given commencement certificate under letter No. BP/MOSHI/54/2019. Hence, they submitted that this application has to be rejected.

3. Heard both sides. On perusal of the application, documents on record, it *prima facie* transpired that the actual status of the property has not come on record. Commencement Certificate is on

record and it has not been cancelled. At least, no such document is filed on record. The urgency to issue *status quo* is not made out at this stage. Hence, I proceed to pass the following order-

ORDER

The application is rejected.

Dated:10/05/2024.

(S. P. Kulkarni)
Civil Judge Junior Division
P.C.M.C. Court, Akurdi, Pune.

CERTIFICATE

“I affirm that the contents of this P.D.F. file Order are same word for word as per original Order”.

Name of Stenographer :- P.B. Jadhav.

Court Name :- Smt. S. P. Kulkarni
(J.M.F.C.) Civil and Criminal Court (P.C.M.C.),
Akurdi, Pune.

Date :- 10/05/2024

Order signed by
presiding officer on :- 10/05/2024

Order uploaded on :- 10/05/2024