

CNR NO.MHPU100001682025



ORDER BELOW EXH.05.

(Dated: 28.11.2025)

This is an application moved by plaintiff under Order 39 Rule 1 & 2 of Code of Civil Procedure, 1908 against defendants.

2. Heard Learned advocate for plaintiff at length.
3. Perused record on CIS. The suit is filed for declaration and permanent injunction. As per the contentions of plaintiff, the suit property i.e. three shops in possession of her. She is regularly paid taxes. But now on the pressure of members of Man Mandir Society the officials of defendant no.1 and 2 came upon the suit property and they have threatened to dispossess or demolish the suit property. After perusing record then it shows that, the notice sent by defendants under section 53 of MRTP Act, which is issued on 28/09/2024 but it does not challenged within six months. Now the plaintiff disclosed the cause of action, as such, the official have come and orally threatened. I think before passing any ex-parte order, considering the principle of audi alteram partem it is necessary to heard defendant also. Hence, I proceed to pass the following order :

ORDER

- 1] Issue show cause notice to defendants as to why ex- party temporary injunction should not be granted against them. Returnable on 15/12/2025.

2] E.P & S. B. allowed, if prayed.

Sd/-xxx

Dated: 28/11/2025.

(V. S. Damare)
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 :- Shri. V. S. Damare,
(J.M.F.C.) Civil and Criminal Court (P.C.M.C.),
Akurdi, Pune.

Date :- 28/11/2025

Order signed by
presiding officer on :- 28/11/2025

Order uploaded on :- 28/11/2025