

Order below Exh. in R.C.S. No. 108/2024

01. Perused the application. Heard Ld. Adv. T. R. Deshmukh for plaintiff. Plaintiff is pressing for status-quo application and thereby trying to stop the recovery proceeding initiated by defendant No. 7 to 9 against defendant No. 1 & 5. At the inception also same prayer was sought which was rejected on the point that defendant No. 7 and 8 are Co-operative Credit Society. They have initiated proceeding for loan amount recovery against plaintiff's father and uncle. The said society was not given any prior notice considering S. 164 of M.C.S. Act. Hence, plaintiff was urge to argue about tenability.

02. It is argued today that, plaintiff has no business with defendant No. 7 to 9, he is exercising his separate Civil right. That being a valid point even then the loans were raised by the defendant No. 1 and 5 as said by plaintiff, the suit property is ancestral joint family property. As the loan was raised, was it for family economical crisis reasons or else while the loan was raised, to the share of party charge was kept on suit property or was plaintiff consent on loan papers taken ? All this will come on record once the defendant side appears. As far as seizure notice annexed today through document list. It say that proceeding of alleged seizure will be initiated on 28/08/2024 hence, it is necessary to secure presence of defendants by service of summons and notice. On

last date also E.B and S.B was allowed but plaintiff did not take any steps.

03. Hence, if plaintiff has such urgency plaintiff to show the same by taking effective steps. Status-quo prayer will decided once plaintiff comply order dated 03/08/2024 i.e.by positive serving notice on necessary defendants r/o. 21/08/2024.

Bhor

(N.K.Nagargoje)

Date : 13.08.2024.

I/c. Jt. Civil judge, Jr. Dn.,

Bhor, Dist. Pune