



ORDER BELOW EXH. 05
IN REGULAR CIVIL SUIT NO. 149/2023

Perused the application. Present suit is for perpetual & mandatory injunction. Plaintiff is pressing for ad-interim ex-parte injunction against defendants.

02. I have heard Adv. for plaintiff. Plaintiff has placed on record documents showing how plaintiff's mother-in-law Lilawati purchased suit property. The round of litigation ensued afterwards about suit property. In which at the end the suit property was declared to be owned by Lilawati.

03. Post demise of Lilawati property was transferred to legal heirs i.e. husband of plaintiff Pratap. When Pratap tried to mutate his name for suit property based on rights created through Will defendant filed revenue appeals. During which Tahsil Office passed the order which against the interest of plaintiff, as post demise of Pratap she is heir of suit property.

04. Plaintiff based on Court decree R.C.S. No. 153/1983 has prima-facie shown her right over the suit property based on genealogy. The Tahsil order prima-facie seems out of scope. Hence, since same is given effect in the

name of defendants. Therefore, to avoid further complexities based on revenue orders this application needs to be allowed. Hence, following order.

ORDER

1. Plaintiff ad-interim ex-parte injunction prayer is allowed against defendant No. 1 & 2.
2. Plaintiff is directed to make compliance as per O.39 R. 3(a)(b) & it be reported to this Court with annexed affidavit on or before 19/12/2023.
3. Defendant No. 1 & 2 are hereby restrained from causing any obstruction & change to possession, title of suit property till they appear & file say to Exh. 05.
4. No order as to costs.

Sd/-

Date : 18/12/2023
Bhor

(N.K.Nagargoje)
Civil Judge Junior Division
Bhor, Dist. Pune

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	S.A.Sonawane
Name of Court	Smt. N.K.Nagargoje, C.J.J.D., Bhore, Dist. Pune.
Date of order	18/11/2023
Order Signed by the P.O. on	18/11/2023
Order uploaded on	19/11/2023