

R.C.S. NO. 234/2024**ORDER PASSED BELOW EXH. 5**

(Mrs. Vaishali Dhananjay Bhujbal Vs. Mr. Dhananjay Pratap Bhujbal)

Read the plaint, application (Exh.5), affidavit and documents filed in support of application. Heard Learned Advocate B. S. Shinde for the plaintiff.

2. It is the contention of plaintiff that, suit properties are ancestral properties are plaintiff and defendant no. 1. Defendant no. 1 had mortgaged suit properties to defendant no. 2 for development of his poultry farm business. However he failed to deposit installments. Therefore, defendant no. 1 decided to sale out the suit properties to satisfy loan amount of defendant no. 2. However, plaintiffs requested the defendant no. 1 that they will work hard collectively and make payment of loan amount. But, defendant no. 1 denied and stated his intention to sale out the suit properties. It will cause injustice to plaintiffs. Plaintiffs have right in suit properties. If defendant no. 1 sold the properties plaintiffs right in suit properties will be extinguish. Defendants are in collusion to sale out suit properties. Hence, Ld. Adv. prayed for ad-interim injunction against defendant from any kind of transfer of suit property.

3. Perused the documents. Prima-facie it appears that till today there is no any act by defendants adverse to the interest of the plaintiff. In such considering facts of the case and situation of suit property, no urgency brought on record by plaintiff to show that, if

ad-interim injunction not granted there will be irreparable loss of plaintiffs which is essential ingredient for ad-interim injunction. Considering the facts on record, it will be just and proper to give opportunity to other side before any order in their absence. Hence, following order is passed :-

ORDER

1. Issue show-cause notice to the defendants as to why injunction should not be granted against him returnable on 05/10/2024.
2. E.P. and S.B. allowed if required.

Saswad.
Date : 26/09/2024

(Mrs. S.K.Deshmukh)
Jt. Civil Judge, Jr. Dn., Saswad.

CERTIFICATE

I affirm that the contents of this PDF file Judgment/Order is same word to word as per the original Judgment / Order

(a)	Name of the Stenographer	:	Mr. P V. Satpute
(b)	Court	:	Mrs. S. K. Deshmukh, Jt. Civil Judge, J.D. & J.M.F.C. Saswad.
(c)	Date of Judgment /Order	:	26/09/2024
(d)	Judgment /Order signed by P.O. on	:	26/09/2024
(e)	Judgment /Order uploaded on	:	27/09/2024