

ORDER BELOW EXH. 17 IN RCS NO. 410/2018

The present application is filed by the plaintiff under Order XXXIX Rule 1 & 2 of Civil Procedure Code for grant of status order in respect of suit property till next date or till further orders.

2. As per plaintiffs', they have filed application below Exh.5 for temporary injunction. Notice and summons served on defendants on 01/10/2018. This is suit for partition and defendants have started the construction of poultry farm in the suit property. Hence, till next date they have asked order of status quo to protect suit property.

3. Defendant No. 1 to 4 appeared and say that there is partition in the year 1992 between predecessor plaintiffs and defendants. They admitted that there is construction of poultry farm is in progress in the suit property no.1a. If this application is allowed then there will be huge loss to the defendants.

4. Heard both the sides. Perused application, say and documents filed with the list at Exh.16, Exh.19 and Exh.3 on record.

5. Defendants have filed pursis cum undertaking about position of construction and exact progress of construction below Exh.20. Plaintiffs have also agreed with the position. In view of said undertaking this application is disposed off and defendants are directed to observe and follow their undertaking till next date.

Date: 05/10/2018.
Place: Daund,

(Shri. P. G. Lambe)
2nd Jt. Civil Judge Jr.Dn. Daund,
Tal. Daund, Dist. Pune.