

Ajit Dagdu Kale
Vs
Dashrath Damu Kale

ORDER BELOW EXHIBIT NO. 05

This is an application for grant of temporary injunction filed by plaintiffs. The Ld. advocate for plaintiffs pressed for ad interim exparte temporary injunction.

2. Heard the Ld. advocate for the plaintiffs. Considered his submission.
3. Read plaint, temporary injunction application and affidavit filed in support of the temporary injunction application. Perused the documents.
4. The Ld. Adv for plaintiffs submitted that the suit is for declaration and permanent injunction. On 22/10/2018 the plaintiffs have purchased the suit property from Mangesh Shantaram Borhade and Ramesh Shantaram Borhade by the register sale deed for the consideration amount of Rs.10,00,000/-. Since then the suit property is in possession of plaintiffs and they are cultivating the same. In the suit property towards the north side there is a house property No.844. The said house property is given by plaintiffs to the Umaji Sitaram Kale. The said house property is in the name of Umaji Sitaram Kale. Towards the east side of suit property there is ancestral property of father of plaintiff. The defendant Nos.1 to 5 have no relation with the suit property.
5. On 21/12/2021 the plaintiffs have filed application in the office of land record for measurement of suit property. The defendant Nos.1 to 5 took objection for the said measurement. On 15/06/2022 with the help of police aid the work of measurement was completed. Since then defendant Nos.1 to 5 are obstructing the peaceful possession of plaintiffs over the suit property. If the

application is not allowed then plaintiffs will suffer irreparable loss. Hence he prayed for grant Ad interim exparte temporary injunction.

6. Considering the nature of claim, reliefs and copies of documents placed on record it is not desirable to pass an ad interim exparte order of temporary injunction without hearing the defendants. Hence, following order is passed.

ORDER

1. Issue notice to defendant Nos.1 to 4 to show cause as to why the relief of temporary injunction should not be granted. Returnable on 11/08/2025.
2. EP and SB is allowed, if any.

Sd/-

Date : 31/07/2025
Place : Ghodegaon

(Sneha Sunil Pulujkar)
2nd Jt. Civil Judge Junior Division,
Ghodegaon, Dist. Pune.