

MHRG040020712024



Regular Civil Suit No. 221/2024

Shubha Shashikant Phadake
Vs.
Commissioner Panvel Municipal
Corporation Q Ward Officer Ward
Committee

ORDER BELOW EXH. 5

(Passed on 28th June, 2024)

1. Heard the learned counsel on behalf of the plaintiffs. Perused the application and affidavit in support thereof. The learned counsel of the plaintiff submitted that the defendant or any person through them be restrained from disconnect the electricity connection, water connection and restrain them from interfering in their peaceful possession over the suit property. Hence, the plaintiffs prayed ad-interim injunction against the defendant.

2. Perused the application and affidavit in support thereof. On perusal of the documents filed by the plaintiffs, it is seen that plaintiff is the owner of the suit property. However, there is no urgency to grant ex-parte interim injunction. Opportunity of being heard should be given to the defendant before passing of any order. Hence, the relief of temporary injunction can be considered after defendant appears. Issue show cause notice to defendant on **Exh.05** temporary injunction application.

3. S.B. and E.P. allowed if required.

Date: 28/06/2024
Place: Panvel

(N. S. Kakade)
3rd Jt. Civil Judge S.D.,
Panvel.