

REGULAR CIVIL SUIT NO.64/2024

ORDER BELOW EXH.26

(DATED 21/02/2025)

This application is filed by the plaintiff to extend status-quo order which has been passed on 18/06/2024 till further orders.

02. Perused the application. The plaintiff has submitted that in the present matter, defendant No.1 appeared before the Court. Thereafter, on 18/06/2024, this Court has passed order of status-quo against defendants. But defendant No.1 has failed to obey order of this Court and keep doing the construction over the suit property. Defendant No.1 is likely to do encroachment over the suit property. If defendant No.1 succeeded to complete the construction then the plaintiff will suffer irreparable loss and therefore, there is need of extending status-quo order till further orders.

03. Defendant No.1 has filed his say and submitted that contents of the application are not true. No construction work is going on. Therefore, this application be rejected.

04. From perusal of record, it appears that defendant No.1 appeared in the suit, but failed to file written statement. Therefore, no written statement order has been passed against defendant No.1. Defendant No.2 to

4 inspite of service of summons did not appear before the Court. Therefore, ex-parte order passed against them. Previously the plaintiff has filed application below Exh.14 to pass status-quo order against defendant No.1 to 4 till filing of their written statement. On the said application, order has been passed and defendant No.1 to 4 are directed to maintain status-quo of the suit property in respect of construction activities till next date. Said order is dated 18/06/2024. Thereafter said status-quo order has been extended by passing order below Exh.24 which is dated 16/12/2024, order below Exh.20 which is dated 06/08/2024, order below Exh.21 dated 24/09/2024, order below Exh.22 dated 21/10/2024, order below Exh.23 dated 18/11/2024, order below Exh.24 dated 16/12/2024 and order below Exh.25 dated 21/12/2024. Till today, there was status-quo against defendant No.1 to 4.

05. From perusal of record, it appears that status-quo has been extended on various dates. Now the matter is fixed for hearing on Exh.5 application. Learned advocate of defendants has appeared, but failed to do argument and seek adjournment. Considering above all facts, in order to protect the suit property, I found that there is need of passing status-quo order till next date. Hence, I proceed to pass following order.

ORDER

1. Status-quo order dated 18/06/2024 is hereby extended till next date.
2. Parties are directed to proceed with application at Exh.5 expeditiously.

Date : 21/02/2025

(Smt. A.S.Wadkar)
Civil Judge J.D., Karjat,
District - Raigad