

Order below Exhibit 14 in RCS No. 99 of 2024


1. The plaintiff has filed present application for status quo in the suit property situated at Survey no.221/11B at Chirner, Uran.
2. The present suit is for declaration and injunction with respect to the suit property. It is contended that as per the order of Tahsildar in easement suit no.9/2020, it has been declared that plaintiff must take out the encroachment in the public property in seven days; failing which encroachment would be removed. However, it is not public property but a private property which has been bought by plaintiff in 2004. Defendant is trying to make invasion in the suit property of the plaintiff.
3. Despite service of summons to the defendant, he did not appear. The case proceeded exparte against defendant.
4. It is the contention of the plaintiff that defendant are acting against their interest. If it is allowed, the suit property will be damaged, grave injustice would be caused to the plaintiff.

5. The contention of plaintiff is supported by his affidavit. It appears prima facie that defendant is invading in the suit property of the plaintiff. Despite calling the defendant till 5.30 pm, he did not appear or file his say.
6. If the present application is not allowed, the suit property would be invaded and damaged. The purpose of the suit would become infructuous and injustice would be caused to the plaintiff. No prejudices would be caused to the defendant if parties are directed to maintain status quo in the suit property. In view of the observation, facts and circumstances. I proceed to pass the following order:

::ORDER::

1. Plaintiff and defendant are directed to maintain status quo in respect of suit property situated at Survey no.221/11B at Chirner, Uran. *till the next date*
2. Plaintiff is directed to comply with Order XXXIX Rule 9 of the Civil Procedure Code.

Place : Uran
Date : 08.08.2024


(Ms. G.K.R. Tandon)
2nd Joint Civil Judge,
Junior Division
Uran