



Order Below Exh 27 in
RCA No. 85/2018

Mr Kulkarni submits that he has filed the present application for status quo. He submits that the respondent No. 4C has started certain activities for construction in the suit property. He submits he has filed application Exh 22 for ex parte interim injunction.

2] I have perused the application Exh 22 and 27.

3] Admittedly, the respondents have not given their say on Exh 22. Today none of the respondents or their advocates present when called out repeatedly.

4] Therefore, the application Exh 27 cannot wait for the say of the respondents, primarily respondent No. 4C.

5] Thereafter, today Mr Kulkarni filed ten documents under documents list Exh 26, under the application Exh 25. Some photographs are filed. The photographs showing an excavator machine, some road, some half demolished half construction, some channel for foundation. Mr Kulkarni submits that this documents are showing that construction activities are going on in full swing.

6] Today, Mr Kulkarni also filed an application-affidavit Exh 27 requesting therein for status quo.

7] On this background, my observations are as follows.

8] This appeal is pending since 2018. If it had been pursued earlier, today's alleged construction would not have

become a point of contention. However, this is not to blame any party or its advocates for the delay caused in the hearing of this appeal. There might be numerous collective reasons for the delay. Be that as it may.

9] However, a special order was passed in this appeal on 15.10.2025 to keep the appeal for final hearing on 12.11.2025. Thereafter also some dates have passed.

10] Hence, under such circumstances, the best option shall be to keep the appeal for arguments. If on the date fixed for argument, the respondent or his Ld advocate remains absent, the appellant shall complete his argument. Any status quo or interim relief and that too after 7 years of filing of this appeal is not desirable. Hence, I am passing the following order.

ORDER

1. The application Exh 27 is rejected.
2. The application Exh 22 shall be taken up for consideration during final arguments.
3. The date for final arguments shall be given as per choice of advocates.
4. The application Exh 27 is disposed of in above terms.

Date: 04.03.2026
Place: Oros

Sd/-
(Dr Sudhiir M Deshpande)
Principal District Judge
Sindhudurg at Oros