



-: Order below Exh. 28 in R.C.S.No. 58 of 2023

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The plaintiff has filed present suit for permanent and mandatory injunction. Plaintiff has filed application at Exh. 5 to restrain defendant from raising construction by making encroachment over the suit property.

2. The plaintiff has filed present application to maintain status quo in the suit property. Perused the record of the case. Show cause notice issued to the defendant returned with endorsement that, door is locked. The Id. Advocate for the plaintiff has contended that, the construction work by workers of defendant is going on in the suit property. The plaintiff has apprehension that, defendant is going to complete construction. Hence, it is prayed that, status-quo to be granted to restrain defendant from raising construction and to maintain status-quo in the suit property.

3. The plaintiff has filed photographs of construction along with suit as well as present application. From the photographs it is seen that, construction work is going on. The plaintiff has brought on record the status of construction by way of photographs. In such circumstances in order to avoid multiplicity of proceeding, it is necessary to maintain the status-quo in the suit property till next date. Hence, I pass the following order.

ORDER

1. Both parties are directed to maintain status-quo till next date.
2. Issue show cause notice to the defendants as to why status quo order should not be continued till further order or specified time. Notice returnable on 06/06/2023.
3. Emergent process and Special bailiff allowed.
4. The plaintiff shall comply of the Order 39 Rule 3 (a) of the C.P.C.

Date :- 17/05/2023.

(A.J.Bachulkar)
Civil Judge, (J.D.),
Kudal.