

Order Below Exh. 5 In R.C.S.No. 64/2022

CNR No.: MHSI05-0004642022

Heard Learned Advocate for the plaintiff Shri. S.K.Marathe. Read the plaint, application for temporary injunction, documents filed on the record. The plaintiff claimed to be the owner and in the possession of the suit houses i.e. house No.1222 and 1258 situated within limits of village -Parule, Tal.-Vengurla. The plaintiff has filed affidavit in support of his claim. Perused the documents filed on the record. The extracts of assessment list (format No.8) of both suit houses filed along with list at Exh. 4 speaks about the possession of the plaintiff over the both suit houses. The name of plaintiff appears in the owner's column of assessment list extract of the suit houses. Thus, the plaintiff is prima facie seen in possession of the suit houses. According to the plaintiff, he run resort into the suit houses. According to the plaintiff, the defendants are trying to obstruct his possession over the suit houses by demolishing the same and compound overthere by way of issuing the illegal notice dated 19/10/2022. However, perusal of the plaint reveals that defendants are representatives of Local Self Government Body of village - Parule. However, being Local Self Government Body defendants are having controlling right into the suit houses. Therefore, it would be proper and just to consider prayer of the plaintiff after the appearance of the defendants. There is no exceptional and compelling case justifying the granting the ex-parte ad-interim injunction. I, therefore, pass the following order-

ORDER

1. Issue show cause notice to the defendants that why injunction prayed by the plaintiff should not be granted r./on 07/11/2022.
2. Special Bailiff is allowed, if any.

Sd/-

Vengurla.

(K.K.Patil)

Date : 03/11/2022.

Civil Judge, Jr.Dn., Vengurla.