

CNR NO-MHSI06-000504-2024



ORDER BELOW EXH.5 IN R.C.S.NO.70/2024

1. Heard learned advocate for plaintiffs. Perused the plaint, application for temporary injunction and the documents filed on record.
2. It is contention of the plaintiff that, the suit property is owned and possessed by them. Defendant nos. 1 to 7 by taking disadvantage of entry of their name in the revenue record of the suit property are erecting house upon the suit property without consent of the plaintiff. The alleged construction is illegal. The defendants have not taken due permission of Grampanchayat for the construction. The plaintiff time to time raised objection to the same, but all in vain. Hence, to stop the illegal construction of the defendants the plaintiff prayed for granting status quo.
3. The present suit is filed for declaration, permanent injunction and mandatory injunction. It is contention of the plaintiff that, defendants are making construction of house without obtaining due permission of competent authority as well as permission of the plaintiff. Considering nature of the suit before passing any ad-interim ex-parte order against defendants they must be given a chance of hearing. Hence, I pass the following order.

ORDER

1. Issue show cause notice to defendants as to why temporary injunction should not be granted in plaintiff's favour, returnable on 05/07/2024.
2. Special bailiff and emergent process is allowed.

Date: 24/06/2024.

(J.M.Mistry)
Civil Judge Jr.Div.
Sawantwadi.