



Order below Exh.59 in
Special Civil Suit No.93/2019

[Vaishali Suresh Pawar & Ors. Vs. Ramesh Pandurang Jadhav & Ors.]

The plaintiffs filed the present application under Order XXXIX Rule 1 and 2 of Code of Civil Procedure, 1908. They are the daughters of one deceased Janardhan Pandurang Jadhav, he is having 1/5 share in the suit properties. This being so, defendant no.1 to 4 i.e. plaintiff's uncles, aunts and their legal heirs and whereas, defendant no.5 is the legal heir of plaintiffs' brother Dhananjay. The defendant nos.1 to 5 sold the suit properties on dated 14/02/2019 in favour of defendant no.6 and 7, who subsequently sold it to defendant no.8 to 20. Hence, plaintiffs filed a present suit for having partition, separation their 2/28 share each in the suit properties and for declaration that the sale deed dated 14/02/2019 is not binding upon them and by way of the present application they are seeking temporary injunction against defendant no.6 to 20 for not creating any third party interest in the suit properties. The defendants have not filed any reply.

2. Perused the application and the documents filed on record. The sale deed dated 14/02/2019 is perused, then, it shows that, defendant no.1 to 5 have sold the suit properties to defendant no.6 and 7, who further sold to defendant no.8 to 20. The branch of deceased Janardhan Pandurang Jadhav is duly

represented by the legal heirs of his son Dhananjay i.e. defendant no.5 in the said sale-deed. Therefore, the plaintiffs can seek their claim against defendant no.5. For that purpose, it would not be proper to restrain the defendant nos.6 to 20. In view of this, the application deserve to be rejected. Hence the following order;

ORDER	
1.	Application at Exh.59 is rejected.
2.	Matter to proceed further.

Sangli.
Date:-29/04/2025.

(M.M.Rao)
Civil Judge Sr.Dn., Sangli.

CERTIFICATE

I affirm that, the contents of this P.D.F. file are same,
word to word as per the original order.

Name of Stenographer : D. S. Pawar

Court : Civil Judge Sr.Dn., Sangli

Date : 29/04/2025

Order signed by the Presiding : 29/04/2025
Officer on

Order uploaded on : 29/04/2025