

MHSN020022952023



ORDER PASSED BELOW STATUS-QUO APPLICATION FILED BY PLAINTIFF
DATED 09/05/2024 IN R.C.S. NO.410/2023

(Manisha Sanjay Irkar Vs. Ashok Dariba Karande)

The present application is filed by the plaintiff for status-quo against defendant nos. 1 to 4.

2. Read the application. Heard Ld. Advocate for the plaintiff and defendant 1 to 4.

3. It is the contention of plaintiff that, she has filed the suit for partition against the defendant wherein she has also filed an application for temporary injunction against defendant nos. 1 to 4. Thereafter an exparte order is passed against defendant nos. 1 to 4. Then defendant nos.1 to 4 are appeared and filed an application under Order 7 Rule 11 of Civil Procedure Code. At present the matter is pending for the say of plaintiff on that application. It is the intention of defendant nos. 1 to 4 that, they want to keep plaintiff away from her right. The summer vacation of the Court is starts from 11/05/2024. During the vacation there is possibility that, the defendant nos. 1 to 4 may alienate the suit property to the third person. Hence, they prayed to grant status-quo against the defendant.

4. The defendant nos. 1 to 4 though appeared in the matter did not filed any say on this application.

5. Perused the record it appears that, the present suit is filed by the

plaintiff for partition and there is filed an application for temporary below Exh. 9 against the defendant nos.1 to 4 seeking relief of non- alienation of suit property. At present the matter is pending for the say of plaintiff upon the application filed by the defendant nos. 1 to 4 regarding the pecuniary jurisdiction of this Court for maintainability of this suit. The defendant nos. 1 to 4 have specifically took the objection upon the pecuniary jurisdiction of this Court. Considering the nature of suit, facts of the suit and the objection raised by the defendant nos.1 to 4, I am of the view that, before granting any objection it is necessary to decide the objection regarding pecuniary jurisdiction of this Court. Therefore, this application has to be rejected at this stage. Hence, I pass the following Order:-

ORDER

The present application is rejected.

Date : 10/05/2024
Sangli.

(G. G. Chonde)
3rd Jt. Civil Judge Junior Division,
Sangli