

E-FILE
ORDER BELOW EXH 5 IN RCS No.396/2024
(Sartaj Mujawar v. SMKMC, Sangli)

In this suit, notice issued by the Corporation has been challenged. It is alleged that, plaintiff has made alteration and not construction. Considering the fact that, notice is challenged, I deem it appropriate to hear the other side. Let there be say of Corporation on record so that it would be clear as to what has been intended upon by the Corporation by virtue of said notice. In the same way, it would be assessed whether due process of law has been followed by the Corporation. Hence, I proceed to pass the following order.

ORDER

1. Issue show cause notice to defendant as to why the injunction so sought shall not be granted.
2. Defendant is called upon to file say immediately and shall not take any coercive action against **plaintiff** in view of the notice without following due process of law.
3. Plaintiff to intimate this order to defendant under Order 39 Rule 3(a) of CPC.

Sd/--
(Wahab A. Syed)
2nd Jt. Civil Judge Junior Division
Sangli.

Date: 27/11/2024

(Heard oral submission of learned advocate of plaintiff. There is an accidental slip in the order clause 2. The correction i.e. in the nomenclature of party is carried out. Instead of 'defendant', 'plaintiff' is mentioned in the order).

(Wahab A. Syed)
2nd Jt. Civil Judge Junior Division
Sangli.

Date: 05/12/2024