

ORDER BELOW EXH.05 IN R.C.S.NO. 353.2024

Jagannath Hindurao Patil and Ors. Vs Chandrakant Kedari alias Babaso Patil and Ors.

Read the plaint, Exh.5 and affidavit filed in support of the plaint.
Perused documents annexed therewith.

02. Heard learned advocate for the plaintiffs.

03. The plaintiffs have apprehension that the suit property will be sold by the defendant no. 1 to 5 to the defendant no.8 in view of agreement to sell executed between them on 08.10.2014. The defendant no. 1 to 5 are trying to defeat the rights of the plaintiffs. The plaintiff filed on record a photocopy of the agreement to sell, 7/12 extract of the suit property and paper publication issued by the plaintiff in respect of objections as to sale and purchase of the suit property. Apart from these contentions and documents on record, there is nothing on record which constitute the immediate apprehension to the rights of the plaintiff in the suit property. Therefore, considering the facts of case and averment of plaintiff, before passing any interim order or granting ex parte ad-interim against defendants, it is necessary as well as just and proper to hear defendants. Therefore I am not inclined to allow this application and the order :-

ORDER

- i) Issue show cause notice on Exh.5 i.e. application for temporary injunction to the defendants returnable on 21/10/2024.
- ii) The prayer as to ad interim ex parte injunction is hereby rejected.
- iii) E.P. and S.B. if any is allowed.

**Place : Sangli.
Date : 10.10.2024.**

**(Rohini Sambhaji Patil)
4th Jt. C.J.J.D., Sangli.**

ORDER BELOW EXH.01 IN R.C.S.NO. 353.2024

**Jagannath Hindurao Patil and Ors. Vs Chandrakant Kedari alias
Babaso Patil and Ors.**

Issue summons to defendants to appear and answer the claim and to file written statement of their defence, if any, within 30 days from the date of service of summons and for settlement of issues and to produce all documents in their possession or power vide O.8 Rule 1 and 1A of the Civil Procedure Code.

Place : Sangli.

Date : 10.10.2024.

**(Rohini Sambhaji Patil)
4th Jt. C.J.J.D.,Sangli.**

:- CERTIFICATE :-

“I affirms that the contents of this P.D.F Judgment order are same word for word as per original Judgment”.

Name of Clerk : P. A. Tagare
Name of the court : 4th J.M.F.C., and C.J.J.D., Sangli.
Date : 10/10/2024
Order signed by presiding officer on : 10/10/2024
Order uploaded on : 10/10/2024