

Order Below Exh. 106 In Spl.C.S. No. 05/2022
(Vilas Shamrao Pawar Vs. Chandrakant Pawar etc.)
CNR.No.MHSN050002322022

The plaintiff has filed the present application to extend status quo order.

2. None appeared. On perusal of record, it appears that defendant nos. 1 and 2 gave undertaking below Exh. 33 whereby they assured that they would not make any construction on suit property 1-E. As per undertaking given below Exh. 33 my learned predecessor passed order thereon whereby directed defendant nos. 1 and 2 to follow the undertaking till next date. Thereafter, on 13/09/2022 again the plaintiff moved an application Exh. 59 for extending status quo order. However, no such order came to be passed whereby an order of status quo came to be extended. Thereafter, on various dates the plaintiff filed applications for extending an order of status quo. It evinces from record that my Ld. Predecessor passed common order below Exh. 66 to 70 and 72 to 78 on 12/01/2024 whereby those application came to be rejected. Again the plaintiff filed application Exh. 79 to 82 for extending an order of status quo. Common order came to be passed on Exh. 79 to 82 on 22/04/2024 whereby application Exh. 79 to 82 came to be rejected. Thus, it appears that there is no such extension of an order of status quo. Hence, question does not arise of extending earlier order of status quo.

3. That apart, nothing is on record to show that what is status of the property at present. Needless to say, it is settled position of law that unless and until status of the property comes before the court, no status quo order can be passed. Considering the

circumstances and aforementioned discussion, I found no merit in the present application. Hence, application deserves to be rejected. In the result, I pass the following order.

ORDER

1. Application is hereby rejected.
2. Both the parties to advance argument on Exh. 5 on next date without fail, failing which Exh. 5 will be decided on merit.

Islampur.
Date:- 24/07/2025

(Bhagwan M. Karlekar)
Jt. Civil Judge Sr. Dn., Islampur.

CERTIFICATE

“ I affirm that the contents of this PDF file order are the same, word to word, as per the original order.

Name of the Steno with Post	: Shri. S. K. Patil (Stenographer Grade-II)
Name of the Court	: Jt. Civil Court Sr. Dn., Islampur
Date of pronouncement of order	: 24/07/2025
Order signed by the P.O.on	: 25/07/2025
Order uploaded on	: 25/07/2025