

FIRST ORDER BELOW EXH. 5 IN RCS No. 83/2024
[Karbasayya Vs. Prabhu & Ors.]

This is an application for ad-interim temporary injunction. Perused the plaint, present application, documents filed along with plaint and affidavits. Heard learned Advocate **Mr. P. A. Naik** for the **plaintiff**.

2) After perusing the plaint and documents filed on record and taking into consideration the frame of suit for the relief of perpetual injunction regarding restraining the defendants from continuing his work of digging well by exploding detonators illegally, considering the contentions of the plaintiff that, the defendants are digging the way in his property adjacent to suit property and thereby he is causing damages to the suit property, I am of opinion that, it is necessary to hear the defendant before passing any ad-interim ex-parte order against him as the prayer is related in respect of the property owned by the defendants and the alleged work being done on the same. I am also of the opinion that, object of granting injunction would not be defeated by delay. Also I don't find any extreme urgency to issue ad-interim ex-parte injunction against the **defendants**. Hence, issue show cause notice on Exh. 5, which is temporary injunction application, to the **defendants R/o. 22/05/2024. E.P. & S.B. allowed, if prayed for.**

Place :- Jath.
Date :- 18/05/2024

(Ekanath K. Chougale)
(JO Code -MHSN2400)
Civil Judge Junior Division,
Jath.