

REGULAR CIVIL SUIT NO.75/2018

[Order below Exh.5]

[Bhagyashri Bhosale vs. Dilip Bansode etc.6]

Perused application, affidavit & documents filed alongwith it.
Heard Ld. Adv. for plaintiff.

2. It is claimed that plaintiff has purchased suit property from the defendant no. 5 and 6. Defendant no. 5 and 6. had purchased suit from defendant no.1. Defendant no.1 and his family member filed suit for partition as R.C.S.No.152/97 in which ex-parte decree passed defendant no 5 and 6 who was necessary party to the suit according to plaintiff decree passed in this suit was null and void . On the basis of said decree defendants are obstructed to the plaintiff Hence, it is prayed that *ad interim ex-parte* injunction order may be issued to prevent such obstruction.

3. Even otherwise by way of present application, injunction against obstruction caused by defendant. As mentioned earlier, the property is standing in the name of plaintiff and defendants. Hence, it is not only just & desirable but necessary to call say of the defendant before issuing any injunction. In the circumstances, this is a not fit case to issue *ad interim injunction* order. Hence, the order :

ORDER

1. Issue show cause notice to the defendant as to why interim injunction as prayed by the plaintiff shall not be granted. notice is R/o 28.06.2018.
2. E.P. & S.B., if prayed is allowed.
3. Parties to take note & proceed.

Sd/-

Tasgaon
Dt.05.06.2018

(Sou. T.S. Mahadik)
2nd Jt. Civil Judge, Junior Division
Tasgaon