

MHSN110011292024



Regular Civil Suit No. 191/2024
Mahesh Dhage Vs. Kiran Dhage

ORDER BELOW EXHIBIT 18

1] Plaintiffs have filed application to maintain status quo over the suit property. It is the contention of the plaintiffs that, the suit is filed for perpetual injunction and notice were issued to defendants. At the time of ad interim, no injunction was granted by the Court. After service of summons, defendant no. 1 to 4 appeared and they have suddenly started construction work before filing their written statement on the appointed date i.e. 11/12/2024. The plaintiffs have filed photographs on record to show the construction work is going on. Hence, prayed to allow status quo as on today's date.

2] Defendant no. 1 to 4 against whom the prayer is sought have filed say to the status quo application as well as say to the interim application. It is the contention of defendants that, they are making construction on their own land which is partitioned long back and at present they are owners of that portion. Plaintiffs are trying to take disadvantage of name of their father on whose name suit property was purchased and seeking injunction. Defendants will cause irreparable loss in case the status quo is granted. Hence, prayed to reject the application.

3] Heard both the Advocates. Today, in fact arguments on interlocutory application is heard by the Court. Advocate for defendant no. 1 to 4 is requesting to furnish some 7/12 extract of the year 1978 within span of 1 to 2 days. In fact, the matter ought to have posted for

order below exhibit 5. I have gone through the photographs filed on record by the parties dated 06/12/2024 and 07/12/2024. No doubt, it shows that, the work is going on in progress. Tomorrow is Sunday and till date of filing public documents by defendants and passing orders by this Court, there is certainly possibility of having much more progressive construction over the suit properties. In this circumstances, it would be just and proper to grant status quo till the date of passing orders. Hence, I proceed to pass following order.

ORDER

1. The application of status quo is allowed.
2. Defendant no. 1 to 4 are hereby directed to maintain status quo of suit property (i.e. construction work) as on today's date till passing interlocutory application below exhibit 5.

The order is passed in open Court and in presence of plaintiff and their Advocate, defendant no 1 to 4 and their Advocate.

Date:- 07/12/2024
Atpadi

(R.B. Kulkarni)
Jt. Civil Judge Junior Division,
Atpadi

<u>CERTIFICATE</u>		
I affirm that the contents of this P.D.F file Order/Judgment is same word for the word as per original Order/Judgment.		
Name of Steno	:-	Shri. A.R.Jadhav Steno (Grade-3)
Court Name	:-	R.B. Kulkarni Jt. CJJD & JMFC, Atpadi
Date of Order/Judgment	:-	07/12/2024
Signed by PO on	:-	07/12/2024
PDF uploaded on	:-	07/12/2024