

Order Below Exh. 8 Online R.C.S. No. - 35/2025

CNR:MHSN12000293-2025

(Sandip Jivaji Kulkarni and others V/s Balu Appaso Chawgule)

Plaintiffs have filed the suit for permanent injunction against defendants. By this application they prayed that the defendants are carrying out construction in suit property bearing Gat No.174. They are carrying out construction unlawfully without lawful permission from Nagarparishad by encroaching the open way being using by the adjacent house owners including plaintiffs. But the plaintiffs are having reasonable apprehension that the working construction is carrying out by encroaching the open space. Therefore, the suit will be infructuous otherwise it will lead to multiplicity of proceeding. Therefore, they prays to restrained the defendants from carrying out construction. In support of application the plaintiffs have filed photographs. So also plaintiffs have filed the affidavits of adjacent house owners. They deposed that, the defendants are carrying out construction of house by encroaching the open way.

2. Considering the reason assigned in the application, I am of the view that it is necessary to restrained the defendants from carrying out construction by passing status-quo order against them to file say within 5 days. Therefore the defendants will be able to file say and written statement forthwith. So also by this order no prejudice would be caused to the defendants. Hence, I proceed to pass following order;

<u>ORDER</u>	
(1)	Status-quo order is granted in favour of plaintiffs wherein defendants are directed to restrained from carrying out further construction forthwith till their appearance.
2)	The photographs shall be part and parcel of the order.
3)	The plaintiffs shall comply the provision of CPC.
4)	Costs in main cause. EP and SB allowed as prayed.
<i>(Dictated & pronounced in open court)</i>	

Palus.
Date - 04/04/2025

(I. A. Y. A. Khan)
Jt.Civil Judge Jr.Dn., Palus

CERTIFICATE

I affirm that, the contents of this P.D.F. file are same, word to word, as per the original.

Name of Stenographer	:	Mrs. Jyoti A. Salunkhe Stenographer Grade III
Court	:	Jt. C.J.J.D. & J.M.F.C., Palus
Date	:	04/04/2025
Signed by P. O. on	:	04/04/2025
Uploaded on	:	04/04/2025