R.C.S.No. 23/2026
Sanjay Pandurang Dhas
Vs
Ulhas Babasaheb Nalvade
MHSN14-000104-2026

Order below Exh.31

1. Present application is filed by plaintiffs to extend status-quo order till further order.

2. It is contended by the plaintiffs, suit is filed for injunction and declaration. On 17/02/2026 order about status-quo in respect of suit property is passed on Exh. 5. Today, defendants have appeared. Time is required to decide application Exh. 5 on merit. It is necessary to extend status-quo order till further order.

3. Defendant nos. 1 to 6 have filed say Exh.32 and contended that, they have filed say on Exh. 5 hence contentions of plaintiffs about requirement of time to decide said application is totally wrong. Plaintiffs have conceal important facts and filed false T. I application. Inspite caveat of defendant nos. 1 and 2, plaintiffs by misleading court got status-quo order. Said order is in existence for some days. There is no reason to extend status-quo order dated 17/02/2026. Suit property 1C and 1D are in possession of defendants and their names are recorded to the record of rights long back. This fact is also conceal by the plaintiffs. Plaintiffs have prayed for formal relief not to obstruct their possession as mentioned in application about compromise decree. It is necessary that, decide application Exh. 5 on merit. Plaintiffs have no right to file suit in respect of suit property 1C and 1D. Thus, they prayed to reject the application.

4. Perused application, say and record. Heard both sides. It is submission of plaintiffs that defendants by playing fraud and by

compromising in RCS no. 88/23 in lokadalat dtd. 09/12/2023 recorded their names to the suit property. Actually interest and rights of plaintiffs are involved in the suit property. Defendant No. 1 to 6 are trying to create record in their name and to alienate. Hence suit is filed for permanent injunction. Plaintiffs have not contended that, they are in possession of suit property. They have received notice of T.I.L.R department about correction in record. Whether compromise decree is passed by plain fraud or not will be decided on full fledge hearing. Hence, it is necessary to extend status-quo order till further order.

5. Ld. Advocate for defendant nos. 1 to 6 submitted that, as there was caveat of defendant nos. 1 and 2, plaintiffs have to give notice to them. Suit property at sr. no. 20, 21, 22 of suit property 1B are in the name of defendants. Plaintiffs have no concerned with these properties. Plaintiffs are in possession of their plots. Alleged compromise decree is in respect of suit property 1C and 1D. Therefore, as pe section 158 of MLR Code there is bar for filing suit. Defendants have claimed measurement of suit property at sr. no. 20, 21, 22 and 47 of suit property 1B. Plaintiffs have not clearly mentioned in the T.I application about which property they are claiming relief. Plaintiffs have filed say on 12/01/2026 before T.I.L.R Shirla. Plaintiffs have no concerned with suit properties in possession of defendant and have no right to file suit. He relied upon **Mahadev Govind Charge and others Vs. Special Land Acquisition Officer, Upper Krishna Project, Jamkhandi, CPC Order 41 and Rule 22 (S.C.)** *Civil Procedure Code, S. 148 A- A caveator has a right to be heard mandatorily for the purpose of passing of an interlocutory order (para 46) for appearing parties M.S. Kiran Suri, S. J. Amith, Ms. Syed Tabida, Sanjay R. Hegde and V. N. Raghupathy.*

6. It appears from record that, On 17/02/2026 order below Exh. 5 was passed and plaintiffs and defendant No.1 to 6 are directed to maintain status quo in respect of suit property till appearance of defendants. Today, defendant nos 1 to 6 have appeared and filed say to Exh. 5. Here, the question is whether status-quo order passed below Exh. 5 can be extended or not. It reflects on the submissions of both sides as well as documents filed on record by them that there appears need of full fledge hearing of application Exh. 5. No doubt, defendants have filed say of Exh. 5. However, some time is required to hear and decide application Exh. 5 on merit. If the status-quo order is not extended or vacated plaintiffs will be suffer, however no prejudice will be caused to defendants. Both parties will get opportunity to argue on Exh. 5 and that will lead to decide application on merit. Hence, considering facts of present case and situation citation relied upon defendants can not be taken in to consideration. Considering over all aspects extending status-quo order below Exh. 5 till next date will be justifiable. Hence, order.

ORDER

Status-quo order passed below Exh. 5 dated 17/02/2026 is extended till next date.

DESAI VINAYA ATMARAM
Digitally signed by DESAI VINAYA ATMARAM
Date: 2026.02.27 17:55:37 +0530

Shirala. (V. A. Desai)
Date 27/02/2026 Civil Judge Jr. Dn. Shirala

C E R T I F I C A T E

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

Name of the Stenographer	:	M.S. Gondkar,
Court	:	C.J.J.D. & J.M.F.C., Shirala
Date	:	27/02/2026
Order signed by the Presiding Officer on	:	27/02/2026
Order uploaded on	:	27/02/2026