

ORDER BELOW EXH. 23 IN R.C.S.NO. 40/2019

(Passed On: 15.07.2019)

I.A.No.4/2019

1. This is an application to grant status-quo against defendant no.5 to 9.

2. It is submitted by the application that the defendant nos.5 to 9 are trying to encroach over the suit property of the plaintiff and trying to obstruct his way. Therefore, status-quo is claimed.

3. The say is filed on the behalf of the defendant no.5 and 6 that they are ready to argue vide Exh.5 and filed their say to temporary injunction application. It is also submitted that there is another suit pending regarding the same matter.

4. Heard learned advocate for both the sides. Perused the record.

5. The earlier suit no.72/2018 appears to be withdrawn by the concerned plaintiff. So also, it is filed by another person i.e. Nana Narayan Masal and not by this plaintiff. It is clear from summons report vide Exh.11 that defendants no. 5, 6, 8 and 9 are duly served. The steps are taken by the plaintiff against defendant no.7 on today. The defendant no.5 and 6 filed their say on the record. But, defendant nos. 8 and 9 are duly served still absent. Therefore, adverse inference needs to be drawn against said absent defendants. Therefore, considering the nature of application, it is desirable that at least defendants who failed to appear should maintain status-quo as prayed. Hence, following order is passed.

ORDER

1. The defendant nos.8 and 9 shall maintain status-quo till next date.
2. Date be fixed as per convenience of parties to argue on Exh.5.

Date: 15.07.2019.

(M.R. Jadhav)
Jt. Civil Judge Senior Division, Pandharpur

CERTIFICATE

I affirm that, the contents of this PDF file Judgment are same word to word, as per the original Judgment.

Name of Stenographer : A.K. Vibhute

*Court : Jt. Civil Judge Senior Division
Pandharpur*

Date : 15.07.2019.

*Judgment signed by the
Presiding Officer on : 15.07.2019.*

Order uploaded on : 16.07.2019.