

MHSO060010562025



ORDER BELOW EXH. 54

IN

REGULAR CIVIL SUIT NO. 64 / 2025

1] This is an application filed by the plaintiff to grant order of status quo in respect of the work of road proposed to be passing through the suit property.

2] Perused the application and the document produced along with it by the plaintiff.

3] Heard learned advocate for the plaintiffs.

4] It is submitted in the application that the plaintiff has filed present suit for declaration that the order of defendant no. 2 dated 11/05/2023 to be void and illegal and on the basis of said order defendant no. 3 should not cause any obstruction to the peaceful possession to the plaintiffs, over the suit property. Whereas in the application Exh.5 the relief of temporary injunction is sought which in consonance with the main relief of the suit.

5] The Ld. Advocate for the plaintiff argued that in the present suit, the application on Exh. 05 and also the application under Order 7 Rule 11 of C.P.C. is been heard by this Court and matter is fixed for the order on 05.05.2026. Yet on 01.04.2026 the defendant no. 3 made an application to the Ld. Tahsildar to execute the order dated 11.05.2023 passed in road case no. 143/SR/12/2021. On the basis of that application, Ld. Tahsildar gave an order to concerned police station to give police aid for execution of the said order. Thus, the defendants

are about to create road through the suit property. Hence it is prayed to grant of status quo till decision of order on Exh. 05.

7] As the plaintiffs have sought urgent relief on the basis of urgent cause of action show to have caused to file this application, no notice is issued to defendants. As rightly pointed out by the Ld. Adv. of the plaintiff that on 05.05.2026 since the matter is fixed for the order on Exh 05 it would not have been proper for the defendants to take steps towards execution of the said order, till the decision of Exh. 05.

8] It is contention of the plaintiff that the police has visited the suit property along with son of defendant no. 3 and informed to the plaintiff that the work of the road would commence on 03.05.2026. Therefore considering the urgency in the matter it would be appropriate to grant order of status quo against the parties till the decision of Exh. 05. Hence this order.

ORDER

1) Parties to the suit are directed to maintain status quo in respect of the suit property till the decision of Exh. 05.

2] As notice is not issued to the defendant, plaintiff is directed to comply Order 39 Rule 3 of C.P.C.

Pandharpur
Date:-02.05.2026

(S.S.Pakhale)
Civil Judge Senior Division,
Pandharpur