MHSO060010562025

ORDER BELOW EXH.01
IN
Regular Civil Suit No. 64 / 2025

The advocate for the defendant appeared before the court today. He has filed application Exh. 59 to take the matter on board. He has shown his displeasure, that this court has passed an order on Exh.54 directing the parties to maintain status quo in respect of the suit property. It is true that the order below Exh. 54 was passed after taking the matter on board. Along with the application Exh.54 the plantiff has file affidavit in support of that application. It is contended that the defendants have visited the suit property with intention to construct road through the suit property on 03.05.2026. Therefore, he pressed to pass order of status quo in respect of the suit property. Considering the urgency, the order of status quo was passed by this court directing the plaintiff to comply order 39 rule 3.

Today the advocate for the defendant appeared before this Court in the afternoon session. He has not only shown his displeasure for passing the order of status quo, but also in a rage shouted at this court that this court has done injustice upon the defendant by passing order behind his back.

He made inappropriate gestures towards this Court (Lady officer) infront of Staff, Advocates and parties seating in the Court. His facial expressions were so harsh that even the staff of this Court could feel this Court to have got insulted.

He also stated that in writ petition he would show all the papers to the authority about all that has taken place in this Court. The way this advocate shouted at this court has caused intimidation to this court. He is well aware that this court is facing medical ailment about which necessary medical papers are already submitted to the Hon'ble District Court. Though the plaintiff has filed an application for status qou right in the beganing, yet this court never harried to pass order below that application.

It is necesary to mentioned here that on 12.02.2026 the argument on Exh. 25 which is an application for rejection of plaint was concluded. Yet on 17.02.26 the defendant produced documents at Exh. 38 and further submitted his argument on the case laws. Thus, the matter was then fixed for order on Exh. 25, which is an application under order 7 Rule 11 of the code of civil procedure. However, at that time as the plaintiff had pressed for passing order of status quo, the defendant's advocate resisted for the same and insisted this court to take up argument on Exh.5. Considering the submission of the advocate for the defendant the application Exh. 5 was heard by this court on 04.03.26. It is advisable that when the party insisted to take up application for temporary injunction even when application for rejection of the plaint is pending,yet it is necessary to hear the application Exh.5. On the same day the plaintiff has produced documents along with Exh. 49. Thus, the application Exh.5 and Exh. 15 were finally fixed for order on 13.03.26 and not before that. In the Rozmana though the matter is also shown to be fixed for order below Exh. 23 which is an application for appointment for court commission but both the parties and their advocates are well aware that the application Exh. 23 is not yet heard.

This Court though repetedly ask the advocate for the defendant to argue on the court commission application but he failed to do so.

On 02.05.26, the order of status quo was passed when the plaintiff has shown that though the matter is fixed for order below Exh. 25 and Exh. 5 yet the defendant made an application to the Tahshildar to execute the said order dated 11.05.2023 stating that there is no stay in the suit.

As hearing on T.I. applications was taken up when the application under 7/11 was pending, both applications are to be decided at the same time. Therefore, few dates have passed when the orders on both the application could not be passed. Today's incedent has caused alarm in the mind of this court and has caused mental disturbance to when this court is on a verge of transfer. This incedent has caused threath and the afternoon session is exausted in this incident.

SARIKA SANDEEP PAKHALE

Digitally signed by SARIKA SANDEEP PAKHALE
Date: 2026.05.04 18:08:06 +0530

Pandharpur
Date:-04.05.2026

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