

Reg. Civil Suit No. 91 / 2023

CNR No. MH50060020792023

Abhijeet Savanji

v/s.

District Collector, Solapur & ors.

Order passed below Exh. 5

Perused application. Heard learned Advocate for the plaintiff at length. He prayed to grant not only ad-interim temporary injunction but also ad-interim mandatory injunction. Ad-interim mandatory injunction is sought against defendant no. 2 and ad-interim temporary injunction is sought against the defendant no. 3. I have given consideration to the argument of the learned Advocate for the plaintiff. He submitted that, the defendant nos. 2 & 3 are violating constitutional rights of the plaintiff by not only disconnecting water connection but also likely to disconnect electric connection. Therefore, it is the plaintiff who will have to suffer irreparable loss.

02. I have given consideration to the argument. I am unable to understand as to why Collector is made party to the suit. Because, it is a doubt as to whether he is higher authority of defendant nos. 2 & 3. Now, come to the prayer. It appears that, water connection is already disconnected. On 09.10.2023, notice is given by the defendant no. 3 to the plaintiff to submit order of Court. It appears that, 7 days time has been given to the plaintiff. Therefore, there is nothing to hold that within time period given to submit document, alleged electricity connection will be disconnected. Therefore, in view of aforesaid fact, it is necessary to hear the other side. Hence, I pass following order.

ORDER

1. Issue notice to defendants as to why injunction, as sought, should not be granted.

2. EP & SB allowed, as prayed.
3. Dictated and pronounced in open Court.

Dt. 10.10.2023

Sd/-
(N. S. Budruk)
2nd Jt. Civil Judge Sr. Dn.,
Pandharpur

CERTIFICATE

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

Name of stenographer : A. S. Bavikar, Grade – II
Name of the Court : 2nd Jt. C.J.S.D., Pandharpur
Order signed
by the P. O. on : 10/10/2023
Order uploaded on : 10/10/2023