

Order below Exh. 86

This application is filed by the plaintiff for extension of the order below Exh.16. Defendant No.1 to 3 filed say below Exh. 87 and 88 and resisted the application.

2. Heard advocate Shri Bhadule for plaintiff, advocate Shri Ghogardare for defendant No.1 and advocate Shri Sarwale for defendant No.2 and 3. Perused record. Record shows that, by the order below Exh.16 defendants were directed to maintain status quo in respect of suit property. It is admitted fact that order below Exh.16 is vacated by my learned predecessor as per the order below Exh.47 on 29.03.2023.

3. This court, while passing order below Exh.5 comes to the conclusion that plaintiff has not having prima facie case, further she is not proved the loss which is irreraprabable, as well as she is not having balance of conveniance in her favour. In such circumstances, now plaintiff wanted to extend the order below Exh.16, that too in other way wanted the directions against the defendants for maintaining the status quo. Considering the order below Exh.05 and the order below Exh.47, the order below Exh.16 is not in existence, hence, there is no question for extension of it.

4. As per the order below Exh.48 both parties were directed to maintain status quo. That order was in exsistence till yesterday. Therefore, it will not prejudice to defendants if order below Exh.48 as regards status quo will granted till

16.09.2023. During the argument advocate Shri Bhadule for plaintiff explained about the status quo order and submitted that even there was order of status quo both parties were using the road in the suit property. Hence, considering the submissions of Shri Bhadule advocate for plaintiff, I pass the following order :

ORDER

1. Both parties are directed to maintain status quo till 16.09.2023.
2. The plaintiff is not allowed to take benefit of this order before the Tahasildar.

Date : 31.08.2023.

[M.R. Kamat]
Jt. C.J.J.D., Pandharpur.