


MHSO070003262019 	<u>ORDER ON EXH. 288 IN R.C.S. No. 272/2019</u> <u>(Passed on 21<sup>st</sup> January 2026)</u>
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1. This is an application filed by plaintiff to stay orders passed below Exh.271 and 278. Defendants No.1 and 2 have filed their say. Heard Advocates for both sides. Perused the record.
2. It is submitted by plaintiff that he wants to file review petition upon orders passed below Exh.271 and 278. However, he has not received certified copies of the order. Thus, after obtaining certified copies, he wishes to file review application within limitation period. Till then the orders are prayed to be stayed.
3. The defendant No.2 strongly objected the application and submitted that plaintiff on the basis of muscle power, is obstructing harvesting of sugarcane crop of defendant No.2. He is intending to cause loss to him. His sugarcane has been cut and at that time plaintiff and his family members obstructed. Therefore, halfly cut crop is lying on the filed. The amount of crop sent to sugar factory is directed to be deposited in the Court. Plaintiff has remedy of mense profit, if the suit is decreed. Therefore, no prejudice will be cause to the plaintiff, but if defendant No.2 is obstructed, then he will suffer financial loss. Therefore, he prayed to reject the application. Defendant No.1 adopted above say.
4. After hearing Advocates for plaintiff, defendants No.1

and 2 and perusal of the record it can be seen that defendant No.1 filed application at Exh.278 for appointment of Court Commissioner to supervise harvesting of sugarcane and sending it to sugar factory. Similar application was given by defendant No.2 vide Exh.271. Both applications are decided on 13.01.2026 for limited number of suit properties. Similar application previously filed by defendant No.2 vide Exh. 250 was rejected. However, as the subsequent application was filed only to the limited number of suit properties, it was allowed. The plaintiff is seeking to stay these orders as he wishes to file review petition. However, the applications were decided on the merit, after hearing both parties. Fair representation was given to each party. Advocate for defendant No.2 submitted that he has received certified copies of the order on the day of argument. Hence, the reason mentioned by plaintiff does not appear to be probable.

5. In this suit previously as per orders passed below Exh. 111 and 184, Court Commissioner was appointed. Its bill amounts were issued in the name of Court Commissioners. As per order passed below Exh.1 dated 12.01.2026, eventually the bill amount will be deposited in the Court. As per merit and documents produced by each party, the bill amount will be credited to the concerned parties. Plaintiff has also sought relief of mesne profit in his suit. Therefore, even though Court Commissioner was appointed as per orders below Exh.271 and 278, no prejudice will cause to the plaintiff. Moreover, for filling review petition, the orders cannot be stayed. Hence, following order is passed.

**ORDER**

1. The application (Exh.288) is rejected.
2. No order as to costs.

**Pandharpur.**  
**Date : 21.01.2026.**

**(Smt. S.S.Raul)**  
**Jt. Civil Judge, Junior Division,**  
**Pandharpur, Dist.- Solapur.**

## Certificate

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

Name of Stenographer :- D.S.Landage (Grade-III)

Court :- Jt. Civil Court,J.D.,Pandharpur.

Date :- 21.01.2026.

Judgment/Order signed by  
the Presiding Officer :- 21.01.2026.

Judgment/Order uploaded on :- 21.01.2026.