

Regular Civil Suit No. 651/2023

Rekhabai Gulumkar vs. Collector
CNR No. MHSO100014842023

ORDER BELOW EXH.56

The plaintiff has submitted the application that order below Exh.23 be continued till disposal

2. It is contention of plaintiff that, defendants are going to construct road with the help of J.C.B. Machine and other instruments in day night in boundary of plaintiff. On 21.03.2023 order below Exh.23 is passed till 23.03.2023. On 23.03.2023 I have heard learned advocates of both sides on Exh.5. Today the matter was kept for order on Exh.5. But, learned advocate of plaintiff moved application Exh.45 that defendant No. 2 to 5 be directed to produce documents. I have passed order on the application and directed to defendant No. 2 to produce documents as per their say Exh.51.
3. Now, the present application is pending. It is contention of plaintiff that, within the boundary of field of plaintiff defendants are creating a way. On application of plaintiff Exh.45, documents are called. After production of document picture will be cleared. If defendants created way illegally within the boundary of plaintiff's land, then defendants have to restore its position to its original stage on their own costs. Hence, there is no need to continue order passed below Exh.23. Hence, application Exh.56 is rejected.

4. The order is dictated in presence of learned advocate of plaintiff, defendant No. 4 and 5.

Place - Malshiras.

Date - 24/03/2023.

(**U. V. Joshi**)
Civil Judge Senior Division,
Malshiras.