



RCS No.123/2024  
Sadashiv. Vs. Arun  
**CNR NO- MHSO150016222024**

**ORDER BELOW EXH.05**

Plaintiff has filed temporary injunction application not to obstruct his possession and to stop the construction over the suit property. Plaintiff has prayed ad-interim relief till appearance of defendant to stop the illegal construction.

2. Heard Ld. Advocate for plaintiff. I have gone through the record and proceeding, it appears that suit is filed for perpetual injunction and to stop the illegal construction. According to plaintiff, suit property is his ancestral property, defendant illegally constructing the construction in his property. He specifically argued that, defendant allotted 30 X 30 Sq.feet land in property no.4219. Despite of this fact, defendant constructing construction in his land. He has filed 7/12 extract, Mutation Entry, N.C.R. registered with police station, map and photographs on record. On perusal of 7/12 extract and mutation entry of suit property, it appears that, suit property is belongs to plaintiff. Further, photographs discloses construction is going on over the property. Plaintiff has filed letter of Grampanchayat, which discloses permission for construction not granted to defendant. So also, in the map property no. 4219 is nowhere situated to any side of suit property. Today, is first date of the matter. Defendant yet to be appeared and filed W.S. But, if construction is going on then possibility of creating complexity is not ruled out. Under such circumstance it is fit case to grant ad-interim relief till appearance of defendant. Having considered facts and circumstances, as discussed

above, I am inclined to consider this application at this stage filed by the plaintiff as sought and status-quo granted till appearance of defendant. Hence, the following order.

**ORDER**

1. Prayer of ad-interim/status-quo relief is granted till appearance of defendant.
2. Issue notice to defendant on payment of E.P.S.
3. Plaintiff to comply procedure prescribed under order 39 rule 3A of C.P.C.

Place - Akkalkot  
Date - 25/09/2024

**(Smt. N. A. L. Shaikh)**  
Jt. Civil Judge Junior Division,  
Akkalkot.

**Certificate**

I affirm that the contents of this PDF file Judgment/Order is same word to word as per the original Judgment/order :-

- a) Name of the Stenographer** :- V. S. Kamble,  
Steno Grade-III
- b) Court** :- Jt. Civil Judge Junior Division and  
Judicial Magistrate First Class,  
Akkalkot.
- c) Judgment/Order signed by PO on** :- 25/09/2024
- d) Judgment/Order uploaded on** :- 25/09/2024