

ORDER BELOW EXH.10

The present suit was instituted on 11.03.2026 for the relief of perpetual injunction and declaration that order of Tahsildar dtd.30.12.2025 granting new road through South embankment of Gat no.79/6, 79/7 and North embankment of Gat no.96/2 for entering Gat no.80 is illegal. Next date is kept in this suit on 02.04.2026 for first order on all the exhibits. However, Superintendent of police, Solapur Rural, Solapur granted police protection to the defendant no.1 for removing obstruction from the road on 02.04.2026. This is the same road which is subject matter of the present suit. If the order of Tahsildar is executed in police protection, then the suit will become infructuous and it will give rise to multiplicity of proceedings. Notices and summons are not yet issued to the defendants in this suit. On perusal of copy of spot panchnama carried out of revenue authority, it transpired that it is observed therein that one Panand road is in existence. Whether inspite of existence of Panand road, order of granting new road is legal or not is matter of trial. Trial is going to take considerable time. Hence, by virtue of ad-interim injunction, plaintiffs right, title and interest in the suit property is required to be protected. Therefore, staying the execution of the order of Tahsildar is necessary at this point of time. Accordingly, I proceed to pass the following order -

ORDER

1. Application is allowed.
2. The defendants are hereby restrained from executing the order of Tahsildar dtd.30.12.2025 on 02.04.2026 in police protection till final order below Exh.5.
3. Plaintiffs to comply the provisions of Order XXXIX, Rule 3 of Code of Civil Procedure immediately.

Date: 30/03/2026
Place: Karmala

(Smt.S.P Kulkarni)
2ndJt. Civil Judge J.D., Karmala.