


MHSO200011722025 	<u>R.C.S.225/2025</u> (Dasharath Lendve Vs. Shiwaji Lendve & anr.)
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**ORDER BELOW EXH.9**

1. The plaintiff instituted the suit for declaration, partition & perpetual injunction wherein, he has filed an application (Exh. 9) for granting status quo against defendants regarding suit property. Plaintiff contended that, despite service of notice, defendants are absent today. They neither appear nor filed their say.

2. Plaintiff further contended that, defendants are trying to disposes plaintiff from suit property. Defendants threatening to disposes plaintiff till today. Therefore, prayed to allow status-quo.

3. Heard Ld. Advocate of plaintiff. Perused the application, affidavit & documents filed on record. It appears that the present suit filed for declaration, partition & injunction. On considering the bailiff reports below Exh. 7 & 8 it appears that notice is served to defendant No.1 & 2 on date 23/06/2025. In spite of that defendants not appeared and filed their say on Exh.5. However, statutory period has not been lapsed. Considering the submission of Ld. Advocate of plaintiff it appears that, suit property is purchased by plaintiff and defendant No.1 together. Thereby defendant No.1 executed gift deed in favour of defendant No.2 for 0.20 R area from suit property. Prima facie on going through documents filed on record it appears that, suit property is belongs in the name of plaintiff and defendants. However, considering the rights of

both parties involved in suit property it would be just to heard other party. If present application is not allowed then there will be no any loss to subject matter.

4. On the contrary, I do not see any emergent circumstances to grant status-quo as prayed. Therefore, I do not found any merit to this application. Hence, I pass following order.

### **ORDER**

1. Application at Exh. 9 is rejected.

Sangola.

(Smt. A.A.Patil)

Date- 23/07/2025

Jt. Civil Judge J.D., Sangola