

**ORDER PASSED BELOW EXH. 21 IN R.C.S. NO. 31 OF 2023.**

Read application. Heard learned advocate for plaintiff. As per the plaintiff defendant No. 3 is intending to construct on Gat No. 177/1 of suit property. If the construction is completed, the suit will be infructus. The application is supported by affidavit.

02. Record shows that written statement of defendant No. 1 to 7 filed at Exh. 19. Previous application of Exh. 05 is pending without progress for want of hearing. However, considering material placed before the Court it would be proper to grant status-quo order as prayed. The plaintiff is having prima-facie case. If construction as per apprehension completed, the plaintiff will suffer irreparable loss. Resultantly, balance of convenience also lies with the plaintiff. If order in question is not passed in absence of defendant forthwith, the purpose of application will be frustrated. Therefore, till next date the application is deserves to be allowed. Thus, following order:-

**- O R D E R -**

1. Defendant No. 3 is hereby directed to maintain status-quo on the suit property bearing Gat No. 177/1 of village Aandhali, Tal. Man, Dist. Satara till next date i.e., 02/08/2023.
2. On failure to show due diligent while deciding the application Exh. 05 on merit by plaintiff, this order will be vacated. The defendant also directed to remain present for hearing on Exh. 05 on next date.

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3. Issue notice to defendant No. 3 accordingly.
4. The plaintiff shall comply Order 39 Rule 3-A of C.P.C., as present order is being passed in absence of defendant.

Date : 12.07.2023

**(G.D. Patil)**  
Civil Judge Jr. Division,  
Dahiwadi.

**:- Affirmation certificate :-**

I affirm that the contents of this P.D.F. file order are same, word to word as per original order.

Name of the Stenographer :- A. N. Ombase, Steno Grade-3,

Name of the Court :- Civil Judge (J.D.) & J.M.F.C.,  
Dahiwadi, Tal. Man, Dist.  
Satara.

Date of judgment/order :- 12/07/2023.

Judgment/order signed by the  
Presiding Officer on :- 12/07/2023.

Date of judgment/order uploaded on :- 12/07/2023.