

MHST080001052025

REGULAR CIVIL SUIT NO.23/2025**Ajinkya Tanaji Shinde and Anr.****V/s.****Sampat Genba Kadam****ORDER BELOW EXH.5**

Plaintiffs have prayed for maintaining status-quo of suit property so as to restrain defendant from disturbing his alleged peaceful possession over suit property.

02. It is averred by the plaintiffs that, suit property bearing Gat No.197 and 198 are purchased by them through registered sale-deed in the year 2012 from brother of defendant named Bhagwan Kadam for value consideration. They further averred that said defendants filed one Regular Civil Suit No.90/2013 for partition against their brothers and also claimed relief of injunction against plaintiff. The relief of temporary injunction against plaintiffs was rejected in Regular Civil Suit No.90/2013 by the Court vide order dated 25.03.2015. The plaintiffs contended that there was previous partition of suit properties between defendants and further suit properties are purchased by plaintiffs for value consideration which was separate properties of said Bhagwan Kadam. Now, the defendants tried to obstruct alleged peaceful possession of plaintiffs over suit properties. Hence, they prayed for maintaining status-quo against defendant.

03. I have heard Ld. Advocate for the plaintiffs. Today the defendant is present before the Court. However, his learned advocate was absent. The present suit is for filing of say and written statement by the defendant. The defendant is appeared in the present case on 17.03.2025 through advocate. It appears from the record that there are two proceedings between same parties against each other pending in the Court. The plaintiffs are appeared to be bonafide purchasers of suit properties for value consideration. It also appears that the alleged disturbance or obstruction to the suit properties by the defendant is required to be restrained so as to maintain status of suit properties. The status-quo seems to be necessary for protecting status of suit properties. Accordingly, following order is passed :

ORDER

Defendant or any person in his behalf is directed to maintain status-quo of suit properties and to restrict him from disturbing peaceful possession of plaintiffs over suit properties till further order.

Date: 16.06.2025.
Khandala.

(Smt. S. G. Kuvalekar)
Civil Judge Junior Division
Khandala