

ORDER BELOW EXHIBIT NO.5 IN REGULAR CIVIL SUIT NO.160/2024
(Raju Narayan Bhargude and Ors. V/s. Hirabai Dnyanoba Bhargude and Ors.)

Heard learned advocate for the plaintiffs. They submitted that this suit is for Simplicitor injunction and they prayed for ad-interim ex-parte injunction against defendant Nos.1 to 3 and 6 to 10. They submitted that, they sent the notice to defendant Nos.1 to 3 on 13.06.2024 regarding the contents mentioned in the plaint. The said notice was received by defendant Nos.1 to 3 on 14.06.2024, but they failed to submit the reply. Also, the defendant Nos.1 to 3 sold the suit property to defendant Nos.6 to 10 on 03.04.2024. They also submitted that defendants are trying to dispossess them from the suit property. Therefore, they prayed for ad-interim ex-parte injunction against the defendant Nos.1 to 3 and 6 to 10. On that point they submitted one case law Rame Gauda V/s. Vardappa Naidu. Perused the contents in the case law. With due respect, facts mentioned in the case law are different from this case. This stage is for noticing to other parties. So before passing any order against defendant Nos.1 to 3 and 6 to 10, it is necessary to hear them on that point. So prayer of the plaintiffs is hereby rejected. Issue show cause notice to defendant Nos.1 to 3 and 6 to 10 that why ad-interim injunction has not been passed against them returnable on 09.07.2024.

Date: 26.06.2024.
Khandala.

(Smt. S. J. Katkar)
Civil Judge Junior Division
Khandala.