



ORDER BELOW EXHIBIT 5
(Passed on this 18th day of April, 2026)

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1. Perused the plaint and application for temporary injunction.
 2. It is the case of the plaintiffs that they are the owners and possessors of suit properties. The plaintiffs further avers that the defendant no. 1 to 3 have illegally demolished their construction over the suit properties. Likewise, they have availed all the prior platforms before reaching this court. Hence, it is the case of the plaintiffs that the defendants are obstructing their peaceful possession over the suit properties. Hence, they have prayed for relief in the nature of *ex parte adinterim* injunction in their favour.
 3. The photographs placed on record, at this stage, do not conclusively establish the possession of the plaintiffs over the suit properties or the alleged act of demolition by the defendants. Similarly, the non cognizable report merely reflects that a complaint was made to the police and does not substantiate the allegations in a manner sufficient to grant interim relief.
 4. The question of possession and alleged interference involves disputed facts which require adjudication upon leading evidence. The material on record is not sufficient to establish a strong *prima facie* case in favour of the plaintiffs.

5. The relief sought is in the nature of an *exparte adinterim* injunction. Such relief, being discretionary and extraordinary, cannot be granted in absence of clear and cogent material. The plaintiffs have failed to demonstrate balance of convenience and irreparable loss at this stage.

6. Hence, this Court is not inclined to grant *exparte adinterim* relief. Hence, the following order is passed :

ORDER

1. Issue show-cause notice to the defendant no. 1 to 6 as to why *exparte adinterim* injunction prayed by the plaintiffs shall not be granted.
2. Emergent process and Special Bailiff, if required, be provided on request.

Date: 18-04-2026

(Uday S. Ivare)
Civil Judge Junior Division,
Mahabaleshwar, Satara