



ORDER BELOW EXHIBIT 16

(Passed on this 31st day of October, 2025)

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1. Heard the learned advocate for the plaintiff. Perused the plaint and application for *status quo*.
 2. It is the case of the plaintiff that the defendant is attempting to remove the suit property. Hence, the plaintiff prays for maintaining *status quo* till the reply of the defendant.
 3. At this juncture, it would be proper to rely on the guidelines laid down by the Hon'ble Supreme Court in **(Morgan Stanley Mutual Fund Vs. Kartick Das, 1994 AIR SCW 2801)** while granting *ex parte* adinterim injunction. The factors which should weigh with the Court in the grant of *ex parte* injunction are:
 - (a) where irreparable or serious mischief will ensue to the plaintiff;
 - (b) whether the refusal of *ex parte* injunction would involve greater injustice than the grant of it would involve;
 - (c) the court will also consider the time at which the plaintiff first had notice of the act complained so that the making of improper order against a party in his absence is prevented;
 - (d) the court will consider whether the plaintiff had acquiesced for some time and in such circumstances it will not grant *ex parte* injunction;
 - (e) the court would expect a party applying for an *ex parte* injunction to show utmost good faith in making the application;
 - (f) even if granted, the *ex parte* injunction would be for a limited period of time;
 - (g) General principles like *prima facie* case, balance of convenience and irreparable loss would also be considered by the court.

4. The present suit is filed seeking the relief of declaration and permanent injunction. At this stage, the plaintiff has prayed for relief in the nature of *status quo*. However, the plaintiff has exactly failed to define “*status quo*” and the nature of her prayed relief. Furthermore, the plaintiff has also failed to showcase any immediate reasons as regards to her apprehension with respect to the suit property. Hence, at this juncture, it would not be just and proper to grant relief in favour of the plaintiff till the reply of the defendant. Moreover, at this juncture, it is also necessary to note that if the present application is allowed without hearing the defendant serious loss may ensue to him. Further, the rejection of the present prayer will not ensue irreparable or serious mischief to the plaintiff as it may be covered within his prayed reliefs.

5. Thus, at this point, the plaintiff has not made out any grounds for granting *status quo* in her favour. Hence, I do not find any extreme urgency to grant the said relief. Therefore, the following order is passed :

ORDER

The application is rejected

Date: 31-10-2025

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

Certificate

The contents of the PDF file are same, word to word correct as per original order.

Court Name	:	Shri. U. S. Ivare Civil Judge Junior Division, Mahabaleshwar.
Order date	:	31-10-2025.
Order signed date	:	31-10-2025.
Name of Stenographer	:	Shri. S. S. Kadam, Stenographer L.G. - 3
Order uploaded date	:	01-11-2025.