

MHST160011322023



Reg.Civil Suit No.462/2023
(Shankar Vs. Vijay)

Order Below Exh.142
(Passed on 05th February, 2026)

This is an application filed by defendant No.16 for grant of adjournment to argue the application filed at Exh.5 of the plaintiff. It has been submitted on his behalf that he has already filed his written statement and say. However, some important documents are still be to obtained and therefore, he prayed to grant further time for the argument.

2. The plaintiff has resisted the application on the ground that said defendant has no right to pray for adjournment in respect of the application at Exh.5. The defendant No.12 has strongly resisted the application for the reason that the present application has been filed only for prolonging the temporary injunction (Exh.5). Therefore, it be rejected by imposing costs of Rs.5,000/-.

3. Perused the application and say along with entire documents. It is the matter of record that the plaintiff has filed an application at Exh.5 for grant of temporary injunction only against defendant Nos. 1 to 12. Already, the concerned defendants have filed their say and written statement at Exh.18. Even, they are ready to argue the application on today itself. Therefore, it is clear that no relief has been claimed against the present defendant No.16 in application (Exh.5). However, he has filed an application at Exh.137 for grant of permission to file his written statement along with say to the application (Exh.5). Said application has been allowed subject to some cost.

4. It is argued by the defendant No.12 that the defendant No.16 is colluding with the plaintiff and therefore, no such adjournment can be granted as prayed. Heard the parties at length. On perusal of the written statement filed by defendant No.16, it appears that he has supported the claim of the plaintiff to some extent. In such peculiar facts and circumstances of the matter, if the defendant No.16 is permitted to argue the application (Exh.5), no any prejudice will be caused to any of the parties. However, at the same time, no adjournments can be granted for the same reason to defendant No.16. In view of this discussion, the application is disposed off with above observations.

(R.M. Bhende)

Date : 05.02.2026

2nd Jt. Civil Judge Jr. Dn. Wai.

CERTIFICATE

“ I certify that this Order uploaded is a true and correct copy of original signed Order”.

Order dictated on : 05.02.2026.

Order checked and signed on : 05.02.2026.

Uploaded by : Sumant D. Varnekar.
Stenographer (Grade-III)

Uploaded on : 05.02.2026.