

**Spl.C.S. No.128/2022**  
**Ramchandra Vs. Ganesh**

**ORDER BELOW EXH.26.**

Read an application and the reply filed by defendant No.1. Perused the record. Heard the learned counsel for the plaintiff Adv. Shri. V.B. Methwade and the learned counsel for the defendant No.1 Adv. Shri. N.L.Chavan and the learned counsel for defendant No.2 to 5 Adv. Shri. M.K.Sonawane.

2. The plaintiff filed this instant application and submitted that on 15.07.2022, the defendant Nos. 1 to 5 agreed to sell the agricultural land to the plaintiff which is field S.No.273/7 situated at Dahiwadi, Tal. Man, Dist. Satara. The defendant No.1 executed an agreement to sell in favour of the plaintiff on 15.07.2022 for the total consideration amount of Rs.8,00,000/-. The plaintiff also paid earnest amount Rs.3,80,000/- to the defendant No.1. However, thereafter defendant No.1 refused to execute and to register sale deed in favour of the plaintiff as per the agreement. Therefore, the plaintiff filed this suit for the specific performance of the contract.

3. Now, the plaintiff is claiming ad interim injunction against the defendants that they shall not create third party interest regarding the suit property till the decision upon the temporary injunction application.

4. Today, the defendant N.1 to 5 appeared through their counsel but they have not filed reply to the temporary

injunction application. Defendants filed application to grant time to file the reply and the same application has been granted.

5. On perusal of record, particularly, the copy of agreement to sell dated 15.07.2022, it appears that there is an agreement in between the plaintiff and defendants. Defendants agreed to sell the suit property to the plaintiff. Therefore, it is necessary to grant ad interim injunction that defendants shall not create third party interest regarding the suit property till the decision upon temporary injunction application. I found substance in the application. Accordingly, I proceed to pass the following order.

**ORDER**

1. The application is allowed
2. The defendant No.1 to 5 or any other person shall not create third party interest and they shall not alienate the suit property to any other person till next date.
3. Defendants are directed to file reply to the temporary injunction application on next date.

Vaduj  
Date: 25.11.2022

( D.D. Fulzele)  
Civil Judge Sr.Dn., Vaduj