

MHTH170030522025



ORDER BELOW EXHIBIT 32 IN R.C.S. NO. 100/2025
(Anusaya Raman Sankhe and Anr. Vs. Pragati Shital CHS Ltd. and Ors.)

1. Heard Ld. Advocate Shri. R.R. Pal, Smt. Priyanka Patil for the Plaintiffs and Ld. Advocate Shri. Suraj Jagtap for the Defendants. Written notes of arguments are submitted. Perused record.
2. As regards, the preliminary issue framed at Exh. 52 i.e. *“Whether this Court has jurisdiction to grant injunction restraining execution of the order regarding deemed conveyance passed by the appropriate authority under the Maharashtra Ownership Flats Act, 1963 (MOFA)?”*, this Court by order below Exh. 1 of even date has given a negative finding and held that this Court does not have jurisdiction to decide prayer clause 13 ए, ऐ, i.e. prayer regarding injunction restraining execution or use of the order regarding deemed conveyance before any registrar, revenue department. The said order was passed by the appropriate authority under the Maharashtra Ownership Flats Act, 1963 (MOFA).
3. The interim prayer at Exh. 32 is that, by way of temporary injunction the Defendants be restrained from execution or use of the order regarding deemed conveyance before any registrar, revenue department. The said prayer flows from prayer clause 13 ए, ऐ. Since, this Court has held that it has no jurisdiction to decide the said prayer clauses 13 ए, ऐ, even the application for temporary injunction cannot be allowed.
4. In these circumstances,

ORDER

1. Application is rejected in view of Exh. 52 and relevant Order below Exh. 1 regarding preliminary issue.
2. Costs in cause.

Place: Palghar
Date: 29/04/2026

(Smt. P.S.G. Chalkar)
2nd Jt. Civil Judge Junior Division,
Palghar.

CERTIFICATE

I affirm that, the contents of this P.D.F. file Judgment/order are same, word to word, as per the original Judgment/order.

Name of Stenographer	---	Prathamesh D. Patane Stenographer (Gr-3)
Court	---	2 nd Jt.CJJD & JMFC Palghar.
Date	---	29/04/2026
Order signed by the Presiding Officer on	---	29/04/2026
Order uploaded on	---	29/04/2026