

MHTH170042432025



R. C. S. No. 132/2025

Lukman Shaikh

Vs.

Vikas Mere & Ors.

Order Below Exh. 16

01. This is an application filed by palintiff for status quo against the defendant. It is submitted that the plaintiff has purchased the suit property by registered sale deed in 2013. the defendant encroached in the suit property and started construction. The defendant appeared in court but they deliberately prolonging the matter. The defendant is carrying on constuction over the suit property. If the defendant completed his construction the suit will be infructious and plaintiff will suffer irreparable loss. Hence prayed for allow the application.

02. The defendant filed say at Exh. 19 and strongly opposed the application. It is submitted that the applcation is not true. The defendant resides since from 1985 in that house. The defnndat constructed over his property. The plaintiff has no knowledge about four boundaries of the propreties. The defendant has only that house to reside therefore irreparable loss will suffer by the defendant. Hence, prayed for reject the application.

03. Heard learned advocate for the plaintiff and defendant at length. Perused the material on record. Perused the photographs filed on record. The issue between the parties is regarding the encroachment and identification of four boundaries. The measurement map of the both party is not not record. The photographs shows that construction is in progress. considering the dispute between the parties it is necessary to maintain status quo regarding the suit property. The plaintiff will definitely suffer irraparble loss if constrcution is completed. Hence, in the interest of justice, I pass the following order.

ORDER

1. The application is Allowed.
2. The parties are directed to maintain status quo regarding the suit way mentioned in plaint para No. 3, till next date.
3. Both the parties are directed to argue on Exh. 5.

Date : 16.04.2026.
Place : Palghar

(Sujata R. Bandal)
Jt. Civil Judge Jr. Division,
Palghar