

MHWS070022832024

RCS No. 80/2024

Abdul Latif+1 Vs. Shaukat Ali+2



ORDER BELOW EXH- 19

(Passed on 23rd December, 2024)

1. This is an application filed by the plaintiffs for interim temporary injunction.
2. It is the contention of the plaintiffs that defendants have received the suit summons, but defendant No.1 and 2 have continued the construction over the Public Gully. This construction made by the defendant No.1 and 2 is obstructing the easementary right of the plaintiffs. Therefore, it is necessary to restrain the defendant No.1 and 2 from making illegal construction till the decision of Exh.5.
3. The defendant No.1 and 2 appeared in the suit and strongly opposed the present application by submitting that the construction work of the said house has been completed and the finishing work is about to complete. Therefore, there is no urgency. Hence, prayed for the rejection of the application.
4. Heard both the sides at length. Perused the record.
5. It is seen that the defendant No.1 and 2 appeared in the suit. The parties have argued the matter on Exh.5 i.e. the application for interim injunction. Both the parties have filed their respective documents on record. From the documents it prima facie reveals that there is a construction going on near the suit property. There is some dispute between the parties. Though, the matter is heard today itself at 5.25 pm, it is not possible to decide the application for interim injunction. As today is the last day working day for the Civil work the application is liable to be allowed till the winter vacation ends. Hence, I pass following order.

ORDER

1. Application is allowed.
2. Both the parties are directed to maintain status-quo till the winter vacation ends i.e. 31/12/2024.
3. List the matter on 01/01/2025.
4. Costs in main cause.

Date : 23/12/2024. Karanja (Lad)		(Supriya N. Pund) Jt.Civil Judge (Jr.Dn.), Karanja (Lad).
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CERTIFICATE

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

Name of Stenographer	:	D.V. Daware (Stenographer Grade-III
Court Name	:	Jt. Civil Judge (JD) & JMFC, Karanja.
Date	:	23/12/2024
Order signed by the Presiding Officer on	:	23/12/2024
Order uploaded on	:	23/12/2024