

MHWS100000652024



COMMON ORDER BELOW EXHIBIT NOS.05

AND 14 IN Reg,Civil Suit NO.3/2024

Mahesh Gajanan Ingole VS. Shaikh Imran Shaikh Khaja

Passed on 08th July, 2024

01. By filing present application, plaintiff is seeking temporary injunction under Order XXXIX Rules 1 and 2 of the Code of Civil Procedure, 1908 for restraining the defendant from causing obstruction and interference over the suit property. The defendant by filling application for temporary injunction in counter claim also prayed for temporary injunction.

Contention of the plaintiff :-

02. It is the contention of the plaintiff that, the suit property i.e. the property 22R land in Gat No.376 situated at Malegaon which is bounded as :-

Towards East :- Land of Shaikh Imran Shaikh Khaja
Towards West :- Land of Shaikh Imran Shaikh Khaja
Towards South :- Land of Shaikh Rafique (Previously Anil Kumar Jaiswal)
Towards North :- Malegaon Mehkar Road
(Hereinafter referred to as the “**suit property**”)

03. The land is originally owned by the father of plaintiff. It is the ancestral property of the plaintiff. His father Shri Gajanan Ingole died on 24.04.2023. The brother and sister of plaintiff executed the relinquishment deed in favour of plaintiff. Therefore, the name of the plaintiff has been recorded in the revenue record vide mutation entry No.9884 dated 20.11.2023. His father has transferred 20R land to

the defendant vide sale deed No.413/1994 dated 04.03.1994 and 792/1994 dated 28.07.1994 respectively. These transfer also hit by the principle of ratio of standard area. The transfer of 10R land was not permissible. The deceased father of plaintiff sold 20R land to the Anil Jaiswal and Prakash Jaiswal. Now, Anil and Prakash Jaiswal sold the property to the Shaikh Rafique Shaikh Shabbir. After execution of these sale deeds, only 22R land remained in possession of the father of plaintiff.

04. The defendant had filed one suit for specific performance of contract bearing No. Special Civil Suit No.88/1995 against father of plaintiff, Anil Jaiswal, Prakash Jaiswal and Subhash Jaiswal. The said suit was partly decreed by the Hon'ble Civil Judge Senior Division, Washim. The relief of repayment of the amount has been granted in favour of defendant. Thereafter, defendant has filed one suit bearing RCS No.151/1999 (Old RCS No.87/1997). The said suit was for declaration of judgement in special civil suit No.48/1995 and injunction in respect of the suit property. The said suit was dismissed. On 15.11.2023 defendant came on the suit property and tried to destroy the boundary marks. He threatened to the plaintiff that he will take forcible possession. The defendant was labour in the field of plaintiff. He has taken undue advantage of the fact that the sale deeds executed in his favour are in violation of the Rules of 1971. Under the garb of revenue entries, he is trying to take possession. He is not in possession of the suit property. The issue has been decided in the suit bearing RCS No.151/1999. Despite this fact, the defendant is trying to disturb the possession of the plaintiff.

Hence, this application.

05. Plaintiff has filed his written statement cum reply at Exh.16 to the counter-claim and injunction application. He has denied that defendant is in possession of the suit property. The defendant has attempted to show his adverse possession. He cannot become the owner by way of adverse possession. The defendant cannot claim injunction against the true owner.

Averments of the defendant :-

06. The defendant has denied the contents of the application. It is his averment that, in Gat No.376 there is no land remained. In the counter claim, defendant has claimed injunction over 20R land. in Gat No.376, the four boundaries of 20R land are as follows, towards East-land owned by Gat No.375, towards West- the land of defendant, towards North Akola-Washim Road and towards South land owned by Shafik (previously owned by Anil Jaiswal). On 27.11.1993 deceased Gajanan has executed one agreement to sell of 40R land out of Gat No.376 to this defendant. Thereafter, the defendant has purchased 20R land from deceased Gajanan by two different sale deeds. The defendant has filed the one suit for specific performance. The same suit was dismissed on the ground that, the agreement to sale was not produced on record. However, the said land was in possession of the present defendant since 27.11.1993. Since then the name of the present defendant has been recorded in the revenue record. The possession of the defendant was in furtherance of the agreement dated 27.11.1993. Therefore, the present defendant has the protection of amendment in Section 53-A

of the Transport of Property Act, 1882.

07. The possession of the defendant is since 27.11.1993. The present defendant also filed one suit for declaration of permanent injunction against deceased Gajanan Kisan Ingole. The said suit was RCS No.151/1999 (old RCS No.87/1997). The said suit also dismissed by this Court on 27.07.2006. The said decree had challenged before the Hon'ble High Court. The Hon'ble High Court also dismissed the appeal. The judgment of the Hon'ble High Court was passed on 22.09.2011. Since then within twelve years, the plaintiff or his predecessor in title had never filed any suit for possession. Thus, the possession of the present defendant is the hostile possession from 27.07.2006 i.e. the date of judgment of RCS No.151/1999. The title of the present defendant is perfected by way of adverse possession. The plaintiff under the garb of injunction wants to dispossess the present defendant from 20R land. The cause of action for filing his counter claim aroused on 27.07.2006. The suit is well within the limitation. The present defendant can also protect his adverse possession. Hence, prayed for injunction against the present plaintiff.

08. Heard both sides. Considering the application and reply the following points arise for determination and I record my findings thereon for the reasons given below :-

No.	<u>POINTS</u>	<u>FINDINGS</u>
1	The plaintiff or defendant who has proved the <i>prima-facie</i> case ?	Plaintiff has proved the prima facie case.
2	In whose favour the balance of convenience	Balance of convenience

	tilts ?	favour tilts in favour of plaintiff.
3	Who will suffer irreparable loss if the injunction is granted ?	Plaintiff will suffer.
4	What order ?	As per final order.

09. **DOCUMENTS :-**

(A) Documents filed by the plaintiff are as follows :-

1. Mutation Entry No. 9884
2. Certified Copy of Judgment in RCS No.151/1999
3. Certified Copy of Judgment in Spl.C.S. No.88/1995
4. Certified Copy of Written Statement in Spl.C.S No. 88/1995
5. Death Certificate of father of plaintiff Gajanan Kisan Ingole
6. 7/12 Extracts of Gat Nos.371, 375, 376, 377, 369 & 375,
7. Map of Survey No.121.
8. Mutation Entry No.1989.
9. Copy of Village Form N0.6
10. Copy of Index-II
11. Copy of Sale Deed Nos.413/1994 & 792/1994
12. Copy of Sale Deed executed by Prabhulal Jaiswal and his affidavit to support the claim of the plaintiff.
13. Mutation Entry Nos.1989 and 1990.
14. Copy of Judgment and Decree in RCS No.48/1994.
15. Rough Sketch Map, etc.

(B) Documents filed by the defendant are as follows :-

1. 7/12 Extract of Gat No.376
2. Copy of Judgment of the Hon'ble High Court in Second Appeal No.395/2011
3. Sale Deed bearing No.3920/1992.
4. Agreement to sell executed by Gajanan Kisan Ingole in favour of the defendant dated 27.11.1993

SUBMISSIONS :-

10. The Ld. Advocate for the plaintiff Shri R.S.Gawali

submitted that, if the present defendant has acquired the possession of the counter claim suit property by way of agreement to sale then the defendant cannot take the plea of adverse possession. If the RCS No.151/1999 was dismissed then the present defendant cannot take the plea of adverse possession. If the previous judgment of the said suit filed by the present defendant is perused then it appears that the suit was dismissed. In Special Civil Suit No.88/1995, defendant No.1 deceased Gajanan father of the plaintiff was directed to repay the amount of Rs.10,000/- (In words Ten Thousand Rupees only) to this present defendant. The same is for the execution of agreement to sell which is not performed by deceased Gajanan. The judgment of Hon'ble High Court and Hon'ble Trial Court are admitted by the present defendant. In Spe.C.S No.48/1994 the suit property was 40R land. The said suit was filed by the Anil Jaiswal and others against the deceased Gajanan. In the said suit, it was held that, the Anil Jaiswal and others are entitled for specific performance of 20R land. The agreement to sell executed in favour of the present defendant was not performed. It was not converted into a sale deed.

11. The sales of 1994 are admitted to the plaintiff it means in 1994 the suit property i.e. 20R land is in possession of the deceased Gajanan. The defendant cannot take the plea of section 53-A of the Transport of Property Act and plea of adverse possession at the same time. As per the judgment of the Hon'ble High Court, there was no possession of the present defendant on the basis of oral lease. Therefore, it cannot be said that, on the basis of agreement to sale dated 27.11.1993. He has been in possession of 40R land. The

question is whether injunction can be granted against true owner. It is not disputed that, after the demise of Gajanan Ingole, the plaintiff became the owner of 22R land. It is also not disputed that, the Jaiswal family has transferred their 22R land to one Shaikh Rafiuq. Now, the remaining 20R land belongs to the plaintiff. Hence, considering this facts prayed to temporary injunction over the 22R land of the plaintiff and reject the temporary injunction application of the defendant over the 20R land.

12. Per contra, the Ld. Advocate for the defendant Shri R.S. Joshi submitted that, there is presumption of Section 157 in M.L.R Code in favour of the present defendant. If the written statement of Special Civil Suit No.88/1995 is considered wherein deceased Gajanan has admitted that, defendant Nos.2 to 4 (i.e. Anil Jaiswal and others) that, it is over the suit property of the plaintiff (present defendant). The agreement dated 27.11.1993 is corroborated by this written statement. The title of the plaintiff is under cloud. The plaintiff has suppressed some material fact. The adverse possession is triable issue in this case. Till today, the plaintiff has not filed the suit for recovery of possession. In the judgment of Special Civil Suit No.88/1995 there is no finding of possession. The Hon'ble High Court has dismissed the suit on the ground that, the possession is not lawful. If it is not lawful possession it does not mean that it is not the possession. Even after the judgment of the Hon'ble High Court, now the possession becomes lawful. There is no land remained in Gat No.376. The plaintiff has name in the revenue record. Under the garb of that entry, plaintiff is trying to disturb the possession of the

defendant. Even the deceased Gajanan has also executed one sale deed of 10R land in favour of one Shaikh Babu. If two judgments of 48/1994 and 88/1995 needs to be read jointly. If it is read jointly then 20R land is in possession of the Jaiswal family. Entries in revenue record is for fiscal purpose. Hence prayed that application of plaintiff may kindly be rejected and application of defendant may kindly be allowed.

REASONS

AS TO POINT NO.1 :-

13. Before the discussion on merit, it is necessary to mention the Judgment of the Hon'ble Supreme Court in the case of the **Dalpat Kumar And Another Vs. Prahlad Singh And Others, Reported In (1992)1SCC 719** wherein it was held that :-

“The grant of injunction is a discretionary relief. The exercise thereof is subject to the court satisfying that (1) there is a serious disputed question to be tried in the suit and that an act, on the fact before the court, there is probability of his being entitled to the relief asked for by the plaintiff/defendant; (2) the court's interference is necessary to the protect the party from the species of injury. In other words, irreparable injury or damage would ensue before the legal right would be established at trial, and (3) that the comparative hardship or mischief or inconvenience which is likely to occur from withholding the injunction will be greater than that would be likely to arise from granting it. Therefore, the burden is on the plaintiff to evidence aliunde by affidavit or otherwise that there is “a prima-facie case” in his favour which needs adjudication at the trial. The existence of the prima-facie right and infraction of the enjoyment of his property or the grant of temporary injunction. Prima-facie case is not to be confused with prima-facie title which has to be established, on evidence at the trial. Only prima-facie case is a substantial question raised bonafide, which needs investigation and a decision on

merits. Satisfaction that there is a prima-facie case by itself is not sufficient to grant injunction. The Court further has to satisfy that non-interference by the Court would result in “irreparable injury” to the party seeking relief and that there is no other remedy available to the party except one to grant injunction and he needs protection from the consequences of apprehended injury or dispossession. Irreparable injury, however, does not mean that there must be no physical possibility of repairing the injury , but means only that the injury must be a material one, namely one that cannot be adequately compensated by way of damages. The third condition also is that “the balance of convenience” must be in favour of granting injunction. The Court while granting or refusing to grant injunction should exercise sound judicial discretion to find the amount of substantial mischief or injury which is likely to be caused by the parties, if the injunction is refused and compare it with that which is likely to be caused to the other side if the injunction is granted. If on weighing competing possibilities or probabilities of likelihood of injury and if the Court considers that pending the suit, the subject matter should be maintained in status-quo, an injunction would be issued. Thus, the court has to exercise its sound judicial discretion in granting or refusing the relief of ad-interim injunction pending the suit.”

14. In the light of aforesaid legal proposition, facts of the present case needs to be considered. The term *prima facie* case means a case which involves a fair and substantial question to be tried. If there is no apparent defect in the plaintiffs case leading to its failure at this stage, it is in the ambit of the expression *prima facie* case. A *prima facie* case does not mean a case proved in its entirety but a case which can be said to be established if the evidence which is led in support of the same were believed. A triable issue is the crux of the expression *prima facie* case.

15. Perused the judgment of R.C.S No.151/1999, the said suit

was for declaration that, the judgment of Spl.C.S 48/1994 is not binding and for the permanent injunction. In this case, the present defendant has contended that, defendant Nos.2 to 4 Anil Jaiswal and others have filed the specific performance of 41R land on the basis of false and bogus agreement to sell. He has purchased 20R land on 04.04.1994 and 28.07.1994. Therefore, only 20R land is remained to be purchased from deceased Gajanan.

16. On perusal of record, it appears that, deceased Gajanan has also executed one agreement to sell in favour of the Anil Jaiswal, Prakash Jaiswal and Subhash Jaiswal. They have also filed one Special Civil Suit No.48/1994 for specific performance of contract for 40R land. In this judgment it was held that, Anil Jaiswal and others are entitled for specific performance of agreement for remaining land 20R land after sale of land to present defendant. It is not disputed that, deceased Gajanan sold the 20R land by way of two sale deeds dated 04.04.1994 and 28.07.1994. On perusal of judgment in RCS No.151/1999 it appears that, the suit property is 20R land. In the said suit, the present defendant has prayed to declare the decree in Special Civil Suit No.48/1994 is not binding and for permanent injunction. The said suit RCS No.151/1999 was dismissed. In the said suit it was the contention of the present defendant that, as per the agreement to sell the Gajanan Ingole has to execute the sale deed of 40R land but he has executed sale deed of 20R land. On the remaining 20R land, he is in possession as per oral lease deed. In the said judgment in RCS No.151/1999, the Hon'ble Court has observed that, the present defendant is not in possession as per the oral lease

over the 20R land.

17. On perusal of these two judgments it appears that, out of 40R land deceased Gajanan has executed sale deeds of 20R land to the present defendant and as per the judgment in Special Civil Suit No.48/1994 he has executed the sale deed in respect of 20R land to Anil Jaiswal, Prakash Jaiswal and Subhash Jaiswal. The entire area in Gat No.376 is 0.61R land. After the execution of sale deeds in favour of the present defendant and Jaiswal family only 0.22R land remained. It is the averment of the defendant that, the Hon'ble High Court also in their judgment observed that, the possession of the present defendant is not legal one. It does not mean that it is not the possession of the present defendant. Since the judgment of the Hon'ble High Court, the possession of the defendant becomes adverse possession.

18. On perusal of judgment in RCS No.151/1999 it is clearly observed that the plaintiff in that suit i.e. present defendant is not in possession over the 20R land. Once it is observed that there is no legal possession, it does not mean there is possession of present defendant over the suit property. It is trite law that, at the time of deciding the injunction application, only possession has to be seen. In the RCS No.151/1999, it was the case of present defendant that he is in possession on the basis of oral lease. Since it is not proved, the suit was dismissed. After the judgments it is clear that there is no de-jure possession of the present defendant. So far as de facto possession is concerned, there is no single evidence on record to show his unlawful possession over the suit property. It is the

contention of defendant that since 27.07.2006 or from 22.09.2011, the plaintiff has not filed the suit for recovery of possession. Thus, the possession becomes the adverse possession. This pleading and argument has no substance. The present defendant has in RCS No.151/1999 claimed the injunction. The litigation comes to an end with the conclusion that he is not in possession. Thus, there is no need to file suit for recovery of possession. Further, defendant has failed to show his possession over the suit property after the judgment of Hon'ble High Court dated 22.09.2011. The only document which the present defendant has the admission of the deceased Gajanan in his written statement in Spl.C.S.No.88/1995 wherein he has admitted that the possession of the present defendant over the 10R land. The judgment of the suit was refund of earnest amount. It was not admitted by deceased Gajanan that the possession over the suit property.

19. The one of the essential ingredient of adverse possession is actual and exclusive possession. Merely pleading that plaintiff or his father has not filed the suit for recovery of possession cannot be the ground for claiming title by adverse possession and injunction. Entry on the land, whether legal or not, is essential. The entry by way agreement to sell and oral lease has not been proved. So far as unlawful entry is concerned, there is no document or other circumstances which shows that his entry was unlawful and now becomes legal for want of suit by plaintiff or his father. There is no document which shows his actual, exclusive, hostile, open and notorious possession since long. The revenue record shows the

possession of present defendant over the 20R land which has been purchased by him from father of plaintiff. If all the calculations are made on the basis of registered sale deeds and previous judgments then it is came on record that in Gut No.376, there is 22R land remained in the name of deceased Gajanan and after the demise of Gajanan it comes to the share of present plaintiff. One Prabhulal Jaiswal filed the affidavit and deposed that plaintiff is in possession of the suit property since long. Thus, prima-facie plaintiff has shown he is in possession over the 22R land. The defendants fails to prove his possession over the 20R land by way of adverse possession.

20. It was tried that 22R land is not remained in the gat No.376. The deceased Gajanan executed sale deed in favour of one Babu Gulam Husain of the 1R land. The four boundaries of sale deed executed by deceased Gajanan are also incorrect. On perusal of the recent 7/12 extract it appears that there is no name of Babu Gulam Husain. Now, the question is whether the protection under Section 53-A of the Transfer of Property Act, is applicable to the present defendant. The defendant has produced copy of the agreement to sell dated 27.11.1993. The defendant has not filed the suit for specific performance for the said agreement. In the suit bearing No.48/1994, he was not party to the suit. Further in Spl.C.S No.88/1995, the subject matter was different. It was for the agreement of 10R land. Nothing has been mentioned in respect of this agreement dated 27.11.1993. Moreover, in RCS No.151/1999, it was not produced by him. It is surprising and also not brought on record what has restrained to him for claiming specific performance

of the suit. It is pertinent to note that, entirely different plea has been taken in RCS No.151/1999. The defendant also failed to show he is in possession on the basis of agreement to sell. The defendant on the one side claiming adverse possession and on the other hand claiming the protection under Section 53-A of the Transfer of Property Act, 1882. These both pleas are contrary to each other. If the agreement to sell is with the defendant then the equally efficacious remedy is available to the defendant subject to limitation. In such circumstances also the mere injunction is not tenable. Further, there is no evidence on record which show his possession on the basis of agreement to sell dated 27.11.1993. There is no evidence after the judgment of the Hon'ble High Court in the second appeal the remains in possession. The plaintiff is rightful owner and having better title. Therefore, the defendant cannot claim injunction against rightful owner i.e. plaintiff.

21. The Ld. Advocate for the defendant relied on the judgment of the Hon'ble Supreme Court in the case of **Mandali Ranganna and others Vs T. Ramchandra and others, Reported In 2018 AIR SCW 3817** wherein it was held that :-

Para No.18 :- While considering an application for grant of injunction, the Court will not only take into consideration the basic elements in relation, viz., existence of a prima facie case, balance of convenience and irreparable injury, it must also take into consideration the conduct of the parties. Grant of injunction is an equitable relief. A person who had kept quiet for a long time and allowed another to deal with the properties exclusively, ordinarily would not be entitled to an order of injunction. The Court will not interfere only because the property is a very valuable one. We are not however, oblivious of the fact that grant of refusal of injunction has serious

consequence depending upon the nature thereof. The Courts dealing with such matters must make all endeavours to protect the interest of the parties. For the said purpose, application of mind on the part of the Courts is imperative. Contentions raised by the parties must be determined objectively.

22. In the present case, defendant has kept quiet for a long time when he has agreed to sell in his favour. Further, the contradictory pleas have been taken in two different cases regarding possession. This conduct shows that defendant is not entitled for injunction. The Ld. Advocate wants to point out the conduct of the plaintiff. In fact, all the suits filed by the defendant are against him. Thus, with all respect the relied judgment is not applicable in the present set of facts.

23. The Ld. Advocate for the defendant also relied on the judgment of the Hon'ble Bombay High Court Bench at Aurangabad in the cases of No.1 **Manik Ramrao Shelke Vs. Balbhim Karbhari Salunke and others, Writ Petition No.9653/2021** and No.2 **Sarjerao Natthu Bangar Vs. Namdeo Keru Bangar, Reported in AIR Online 2021 Bom.3995**. In these cases, it was held that :-

“revenue entries are meant for fiscal purpose and cannot create or destroy title to the properties. However, it is equally trite that long standing revenue entries do have a presumptive value”.

24. In the present case, the revenue entries in respect of 0.20R land by way of sale deed is admitted. But it is the contention of the defendant that, the revenue entry standing in the name of plaintiff does not create any title. In fact the defendant failed to prove his possession over the 0.20R land mentioned in his counter claim. His

entry in respect of 0.20R land recorded by way of sale deed is admitted. Therefore, he has title and in possession in respect of that 0.20R land. Hence, with all respect the judgments are not applicable in the present set of facts.

25. The Ld. Advocate for the plaintiff relied on the following case laws :-

1. M.Kallappa Setty Vs. M.V. Lakshminarayana Rao, Reported in AIR 1972 SC 2299,
2. Alagi Alamelu Achi Vs. Ponniah Mudaliar, Reported in AIR 1962 Madras 149,
3. Mahadeo Savlaram Shelke And Ors. Vs. Puna Municipal Corporation And Anr, Reported in AIR 1995 SCW 1439,
4. Notified Area Vs. Third Additional District Judge, Reported in AIR 2004 Allahabad 371,

26. In M.Kallappa Setty (Supra) it was held that, “*on the strength of possession, the plaintiff can resist interference from defendant who has no better title than himself.*”

27. In Alagi Alamelu Achi (Supra) it was held that, “*the person in wrongful possession of property is not entitled to be protected against lawful owner by an order of injunction. When once court finds that a plaintiff possession of property is wrongful such possession cannot be protected by assistance of court.*”

28. In Mahadeo Shelke (Supra) it was held that, “*no injunction can be granted against rightful owner in favour of a person in unlawful possession*”

29. In Notified Area (Supra) it was held that, “*for grant of injunction against a person whose name is recorded in the remark*

column of Khatauni, it would be essential that the plaintiff must establish better than all the persons whose names are recorded in the remark column of the Khatauni?

30. In the present case, the plaintiff is the rightful owner and in lawful possession. Thus, the above judgments are applicable in the present set of facts.

31. In view of the above discussion, the plaintiff is in possession of the suit property. The claim of defendant is not tenable in the eye of law. Hence, I answer to point No.1 in favour of the plaintiff.

AS TO POINT NOS.2 AND 3 :-

32. As discussed in point No.1, the plaintiff is in possession of the suit property i.e. 0.22R land. The balance of convenience is balancing the rights of both the parties. The defendant has resisted the claim on the issue of adverse possession. However, the defendant has failed to show his possession over the 0.20R land. Therefore, obstruction can be inferred. According to the facts of the plaintiff, defendant has trying to obstruct their possession and trying to destroy the boundary marks. The defendant has no right in the suit property. The plaintiff has right over the suit property and his apprehension of getting dispossessed are the factors which are vividly clear. The obstruction are without any right. Therefore, it is legal and proper to protect the person who is having title and possession over the suit property. Hence, I am inclined to hold that the balance of convenience in favour of the plaintiff.

33. Irreparable loss or injury means the legal injury to the parties. While evaluating the legal injury likely to be caused it is necessary that the party should have the legal rights. The plaintiff has legal right in the suit property. The plaintiff has legal right and his possession needs to be protected against unlawful activities of the defendant. If the temporary injunction is not granted then the plaintiff will suffer irreparable loss. The trial will take its own time and it is not expected that the defendant may obstructed the plaintiff in his peaceful possession. If the temporary injunction is not granted then there is possibility that the defendant may dispossessed the plaintiffs it may give rise to multiplicity of the litigation. Hence, I answer to point Nos.2 & 3 in favour of the plaintiff.

AS TO POINT NO.4 :-

34. In this backdrop and in answer to point No.4, the following order is passed.

ORDER

1. The application below Exh.05 is allowed.
2. The application below Exh.14 is rejected.
3. The defendant, his agent, servants or any person on behalf of him are temporarily restrained from causing obstruction and interference in peaceful possession of the plaintiff over the suit property till the disposal of the suit.
4. Copy of this order also attached below Exhibit 14.
5. No order as to costs.
(Dictated and pronounced in open Court)

Place : Malegaon
Date: 08.07.2024.

[Pravin U. Kulkarni]
Jt. Civil Judge (J.D.) Malegaon
Dist. Washim.

CERTIFICATE

I affirm that the contents of this P.D.F. file Order is same word to word, as per the original Order.

Name of the Stenographer : **Shivam B. Patange (L.G.)**

Court & Judge Name : Jt. C.J.J.D and J.M.F.C, Malegaon.

Date of Order : 08.07.2024

Order signed by the : 11.07.2024

Presiding Officer on

Order uploaded on : 11.07.2024