

Order below Exhibit 05 in RCS No. 43/2016

1] The plaintiff has filed the present application u/o 39 rule 1 & 2 of C.P.C. and consequently claimed the ex-parte interim temporary injunction. The plaintiff claimed himself to be in possession of the suit property. He apprehended the unlawful obstruction at the instance of the defendants over his peaceful possession on the suit property.

2] I perused the application and documents filed on record. The plaintiff appears to be in possession of the suit property. He also appears to be the owner of the suit property. The Ld. Advocate for plaintiff apprehended acceleration of unlawful interference at the instance of the defendants in sowing period. As he appears to be the possessor of the suit property prima facie, his possessory right is required to be protected. Hence, in view of documents on record, the plaintiff has prima facie made out the case for granting interim relief. Accordingly, I pass the following order.

ORDER

1. Ex-parte temporary injunction is granted against the defendants.
2. The defendants are temporarily restrained from causing unlawful obstruction to the plaintiff's possession over the suit property, till next order.
3. The plaintiff to comply order 39 rule 3 of C.P.C.
4. The plaintiff to file affidavit in compliance of order 39 rule 3 of C.P.C.
5. Issue notice to defendant r/o 20/06/2016.

Date: 14/06/2016.

Sd/-
(A.R.Sayyed)
Joint Civil Judge, (J. D.)
Malegaon, Dist. Washim.

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 the Stenographer	:	B.A.Ukey, Stenographer (L.G.)
Name of Court	:	Joint Civil Judge, [Jr.Divn.] & Judicial Magistrate, First Class, Malegaon, Dist. Washim.
Date:	:	14/06/2016.
Order signed by the Presiding Officer on	:	14/06/2016.
Order uploaded on	:	15/06/2016.