

Regular Civil Suit No.28/2024
Rajkumar / Shrikant

ORDER PASSED EXH.NO.34

(Passed on 25th day of March, 2026)

The plaintiffs have filed this application under Order XXXIX Rule 1 and 2 of Code of Civil Procedure for grant of temporary injunction. The plaintiffs also claiming ad-interim temporary injunction order till the decision of this application.

2. It is contended by the plaintiffs that they came to know that the non application no. 1 to 3 have entered into an agreement to sell of suit field Survey No. 25, new Gat No. 143 and field Survey No. 26/2, new Gat No. 145 situated at mouza Mowada, Ta. Ghatanji, Dist. Yavatmal. It is their further contention that they met to Sub-Registrar, Ghatanji and informed him that the Civil Suit regarding field properties is pending in the Court and therefore, not to execute or registered any document regarding the suit field properties. But, the Sub-Registrar, Ghatanji has informed them to obtained the stay order from the Court.

3. It is their further contention that if ad-interim temporary injunction order is not granted in their favour then, the plaintiffs will faces for irreparable loss and in order to avoid the multiplicity of proceeding and in the interest of justice, they prayed for grant of ad-interim temporary injunction order.

4. Read the application. Heard the learned advocate for plaintiffs. Perused the record.

5. On the perusal of record, it is seen that the plaintiffs

have filed the instant suit for partition and separate possession of suit field properties against the defendants. The defendants have appeared and also filed their written statement on record and now, the suit is fixed for framing of issues. At this stage, if the third party interest is created in the suit field properties then, there is chances of multiplicity of proceeding. The plaintiffs will also faces for irreparable loss. Considering, the urgency in the matter and in the interest of justice, I pass the following order;

ORDER

1. Ad-interim temporary injunction order is granted in favour of plaintiffs.
2. The defendant no. 1, 10 and 12 (non applicant no. 1 to 3) are directed not to alienate the suit field properties till the decision of application at Exh. 34 i.e. temporary injunction application.
3. The plaintiffs are directed to comply with the provision of Order XXXIX Rule 3 of Code of Civil Procedure.

Ghatanji.
Date : 25.03.2026

(P. R. Patil)
Civil Judge Junior Division,
Ghatanji, Dist. Yavatmal.