

ORDER BELOW EXH. 05

(passed on dt. 19-07-2024)

1. Heard Ld Advocate Shri.M.N.Chincholikar for the plaintiff.
2. Read the plaint, application for temporary injunction, documents filed on record.
3. The suit of plaintiff is for declaration and for perpetual injunction. Plaintiff claimed to be in the possession of suit property. The plaintiff filed affidavit in support of her claim. The plaintiff filed on record 7/12 extract of suit property. Prima facie it seen possession of suit property is with plaintiff and defendant. According to plaintiff. According to the plaintiff, oral partition take place between them and suit property came in his share. Defendant is trying to disturb and obstruct in his possession. Therefore, it is necessary to restrain defendant to disturb possession of the plaintiff over suit property. If any delay occurred in grant of injunction, such delay shall defeat the purpose of granting injunction.
4. Defendant is appeared on 10/07/2024. Thereafter from last two dates defendant is absent. Considering all aspect, there is exception and compelling case justifying the order of ad-interim injunction. Hence, I pass following order.

ORDER

1. Issue ex-parte temporary injunction restraining the defendant from disturbing possession on suit property till the appearance of defendant.
2. Issue show-cause notice to the defendant as to why ex-parte injunction should not be continued till further order till 05/08/2024.
3. Special bailiff and emergent process are allowed.
4. The plaintiff shall comply with the provision of Order Rule 3(a) of the Code of Civil Procedure.

Date : 19-07-2024

Sd/-
(Smt. S.H.Rathi)
2nd Jt. Civil Judge, Junior
Division, Omerga.

CERTIFICATE

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

Name of Stenographer	---	S.B.Sagar
Court	---	2 nd Jt. C.J.J.D. & J.M.F.C., Omerga
Date	---	19-07-2024
Order signed by the Presiding Officer on	---	19-07-2024
Order uploaded on	---	22-07-2024