

FDP 73/2018

Again matter is taken up at 3.40 p.m. Heard NM adv for petitioner and perused the case file. I have also gone through the objection statement filed by respondents to the petition as well as

the IA No.1 filed under order 26 R9 r/w R13 of CPC by petitioners. Respondents are absent. There is no representation on their behalf.

This petition is filed pursuant to the preliminary decree granted in O.S.No.8189/2012. Under the said preliminary decree it is held that this petition is entitled for 1/7th share in the schedule property measuring 1272 square feet. But NM adv submits that the said ratio of share is less and in fact petitioner is entitled for 1/7th share as one of the son of propositous-Narasoji Rao died Bachelor in 2009, i.e., before filing of the above suit. He also submits that extent of the property is also shown less in the suit and in fact the said property measures 1526 square feet. In view of the said submission matter stands posted for enquiry.

Call on 30.1.2019

III ACCJ

