

Order below Exh.135 in Special Civil Suit No. 1188/2013

Smt. Lilabai Satav & others Vs. Shri. Kailas Satav & others

CNR No.: MHPU02-004919-2013

Read the application and say given by o. s. below Exh. 136. O.S. strongly objected the application on ground that present plaintiffs who were the defendants in the earlier filed instituted suit had filed their w.s. and had admitted that the defendant no.1 is their brothers. Therefore they prayed for rejection of the application. It is the contention of the present plaintiffs that the def.no.1 is not real brother of the plaintiff no. 2 to 5. They prayed for considering D.N.A. test of the def no.1 with the plaintiff no. 2 to 5. Heard arguments of both sides. During arguments plaintiffs filed case laws along with list Exh. 137. I have perused evidence of the plaintiff no. 3 below Exh. 71. This plaintiff in para 8 and 11 of his cross-examination clearly admitted that the defendant no.1 i.e. Kailas is his real brother and son of Laxman Satav. From overall facts on record it reveals that the plaintiffs are prolonging the matter. Matter is extreme old one. There is no need to conduct D.N.A. Test as prayed by the plaintiffs. The case laws cited by the plaintiff are not applicable to the facts in the hands, therefore I have not considered them. The application is deserves to be rejected. Hence application is rejected.

Dated : 12.02.2020

Place : Pune

(Sou.H.R.Jadhav)

5Th Addl. Judge, Small Causes Court
and Jt. C.J.S.D., Pune

CERTIFICATE

I affirm that the contents of this PDF file order are same word for word as per original order.

Name of Steno : V. D. Khirid Stenographer[Grade-II]

Court Name : Sou. H. R. Jadhav
5Th Addl. Judge, Small Causes
Court and Jt. C.J.S.D., Pune

Order Date : 12/02/2020

Order signed by
Presiding Officer on : 12/02/2020

Order uploaded on : 13/02/2020

Note: Handwritten order