

ORDER BELOW EXH.1
(Dt.11.02.2020)

Advocate of both parties are present. Plaintiff amended the plaint in view of death of defendant No. 1 and thereby claimed 1/4th share in the suit property. Advocate of defendants No. 1,3 to 7 filed pursis contending that defendants do not want to make any consequential amendment. On perusal of record, it appears that in Issues No. 1 & 2 in place of survey No. 30, survey No. 3 is mentioned and also in Issue no. 3 in the place of survey No. 30, survey No. 32 is mentioned. As per pleading of the plaintiff, defendant No. 1 executed false sale-deed of survey No.30 in favour of defendant No.7. As per pleading of the plaintiff survey No. 30,7,27 and 32 are the disputed properties.

2. It appears to me that due to typographical mistake Survey No.3 is mentioned in Issues No. 1 & 2 and survey No. 32 in Issue No.3. Now the plaintiff claiming 1/4th share. So, in respect of that also correction in Issue No. 2 requires to be made. Hence, I am going to recast Issues No. 1 to 3.

Dt. 11.02.2020

(A.J.Fatale)
Jt.Civil Judge(Sr.Dn.),Warora.

In view of order passed below Exh.1, Issues No. 1 to 3 are re-casted as under ;

Re-casted Issues

1. Does the plaintiff prove that Survey No.30,7,27 & 32 are her ancestral properties ?
2. Does the plaintiff further prove that she is having 1/4th share in the suit properties i.e. Survey Nos. 30, 7, 27 & 32 ?
3. Does the plaintiff prove that defendant No. 1 executed sale-deeds dtd. 19.04.2017 of Survey No. 27 in favour of defendants No. 5,6 and of Survey No. 30 in favour of defendant No. 7 and the said sale deeds are false, bogus and illegal ?

Dt. 11.02.2020

(A.J.Fatale)
Jt.Civil Judge(Sr.Dn.),Warora.

Certificate

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

Name of Steno : M.P.Ghotkar

Court Name : A. J. Fatale
Jt. CJSD, Warora

Date : 11.02.2020