

ORDER BELOW EXH.No.118
IN R.C.S.No.121 of 2010.

Defendant Nos.3 and 8 to 10 have filed application for framing additional issues, particularly issue on the point on limitation, and requested to frame the additional issues.

02. Plaintiffs have filed their say vide Exh.No.120 and raised objection for framing additional issues. It is further contended that, because already application vide Exh.No.21 had filed by these defendants on 28.06.2010 and that application has been rejected on 10.08.2012. Therefore, again these defendants have no locus standi to file such type of application for framing additional issues. Hence, they have requested to reject the application.

03. Heard both parties learned counsel. Perused contents of application and say filed on it. I have also perused previous application vide Exh.No.21 dated 28.06.2010, which has been rejected on 10.08.2012. After perusal of said application it appears that, said application vide Exh.No.21 was placed on record by showing reason that, suit be rejected is barred by limitation. But in view of rejection of that application, now I do not find any ground to allow the application at the stage of argument of defendants. As well as it appears that, matter is more than 5 years old and defendant Nos. 3 and 8 to 10 are prolonging the matter and abusing process of law. Hence, it would be proper to reject the application. Therefore, application stands rejected.

Date : 23.01.2017.

Sd/- 23.01.2017
(Satyasheela T.Katare)
Civil Judge, (S.D.) Jalna.

(2)

CERTIFICATE

I affirm that the contents of this PDF file are word to word as per original Judgment/Order.

Name of Stenographer : P.S.Tayade,
Name of Court : Civil Court (S D) Jalna
Date of PDF : 23.01.2017

Sd/-
Signature of the stenographer