

MHJN060013092010

**ORDER BELOW EXH.80**

Present application is filed by defendant no.1 to 6 with the prayer to frame additional issues mentioned in the application. To the said application plaintiff objected.

02. Perused application, say and record of the case. Heard learned advocate for both parties.

04. Plaintiff wants to frame following additional issues-

- a. Whether plaintiffs proved that the suit properties are ancestral and joint family property and suit land is unpartitioned?
- b. Whether the suit is barred under principle of non-joinder and mis-joinder of necessary parties?
- c. Whether suit is within limitation?

05. In the present suit issues are recasted at Exh.24. Issue at 4(a) and 4(b) is already present in recasted issue at serial no.1, 2 and 5. Therefore, there is no need to frame additional issue on said aspect.

06. Issue no.4(c) relates with limitation to file the present suit. As per defence of defendants suit properties are already partitioned in the year 1972. Therefore, issue regarding limitation needs to be framed at Exh.24. Accordingly, as per Order XIV Rule 5

of the C.P.C. I pass following order-

ORDER

01. Application is partly allowed.
02. One additional issue at Exh.24 is framed as follows-
 - 6A. Whether suit is within limitation?
03. Both parties to take note and lead evidence accordingly.
04. Concern clerk to carry out necessary amendment at Exh.24.
05. Parties to bear their costs.

Date:-08.04.2026

(Mayuresh R. Kale)
Civil Judge Junior Division,
Bhokardan.

CERTIFICATE

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

Name of Steno	:	Smt. S. R. Ingle
Court	:	CJJD & JMFC, Bhokardan
Date	:	08.04.2026
Judgment/order signed by the Presiding Officer on	:	08.04.2026
Judgment/Order uploaded on	:	08.04.2026