

MHKO120003362010



Reg. Civil Suit No.90/2010
(CNR No.MHKO120003362010)

Order below Exh.1

Perused the record. The matter is pending for evidence of plaintiffs. Ld. Adv. Shri. Kadav has drawn my attention in respect of additional issues on the point of non joinder of necessary parties and limitation, which have raised in the written statement at Exh.24. However, issues on these two aspects have not framed below Exh.50. Ld. Adv. Shri. Patil submitted that he has no objection on the issue of limitation. But some instructions are necessary in respect of issue of non joinder of necessary parties. I consider submissions of both sides. I found substance in the submissions of Ld. Adv. Shri. Kadav as to issues on twin aspects which is necessary in order to decide the suit on merits. Therefore, no serious prejudice would cause to the plaintiffs by framing additional issues on these two aspects. Hence, I frame following additional issues.

Additional Issues -

6-A) Whether the suit is barred by limitation ?

6-B) Whether the suit is bad for non joinder of necessary parties ?

Above additional issues be merged in issues below Exh.50.

Date : 24/07/2024

(V. V. Kulkarni)
Civil Judge Junior Division,
Gargoti

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Reg. Civil Suit No.90/2010
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Alongwith Exh.50

In view of order passed below Exh.1 dated 24/07/2024,
following two additional issues are framed.

Additional Issues -

6-A) Whether the suit is barred by limitation ?

6-B) Whether the suit is bad for non joinder of necessary parties ?

Date : 24/07/2024

(V. V. Kulkarni)
Civil Judge Junior Division,
Gargoti