

ORDER BELOW EXH.1 IN REG.CIVIL SUIT NO.6/2008.

Perused the pleadings of both the sides and heard both the sides. Initially, plaintiffs had filed this suit for perpetual injunction against defendants and subsequently during pendency of suit, plaintiffs amended the plaint and included pleadings in respect of encroachment and construction of house by way of encroachment in the suit property by defendants. By way of additional written statement, defendants have denied the said fact. So in such circumstances, nature of suit has changed and so the issues framed by learned predecessor vide Exh.19, needs to recast and so issue no.1 is recasted as Do plaintiffs prove their possession over suit property on the date of filing of the suit ? So also issues no.2-A, 2-B and 3-A are additionally framed as 2-A - Do plaintiffs prove that defendants have made encroachment in land Gat No.1633 of the extent of 3.50 R, during pendency of suit ?

2] Issue no.2-B - Do defendants prove that deceased Dnyanu Ghatage had given 20 R lands towards southern side in suit property on licence for construction of house and shed for cattle and road etc.to defendant no.2 and Shankar Bhau Ugale ?

3] Issue No.3-A - Whether plaintiffs are entitled for relief of recovery of encroached portion, as prayed ?

Sd/-

(V.A.Awaghade)

Date :- 27-11-2017.

Jt. Civil Judge Junior Division,
Panhala

-: CERTIFICATE :-

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

Name of the Stenographer	Shri. A.A.Patil
Name of Court	Shri. V.A.Awaghade
Date of Dictation	27-11-2017.
Order signed by the P.O. on	27-11-2017.
Order uploaded on	27-11-2017.