



:: ORDER BELOW EXH.113 ::

01. Defendant No.3 has filed application with a contention that, defendant No.8 and 9 may be permitted to lead their evidence in respect of sale deed bearing day book No.209/2008 and 410/2021, in the capacity of a witness.
02. Say is filed by the plaintiff that, the sale deeds are public documents. The application is given to prolong the matter. Hence, it may be rejected.
03. It is pertinent to note here that, defendant No.8 and 9 have filed their written statement below Exh.54 independently but have preferred to lead evidence through Sadashiv Ghuge (defendant No.6). Sadashiv has deposed below Exh.110 for himself as well as other defendants. So, defendant no.8 and 9 cannot given independent evidence to fill up the lacuna in the evidence of their agent Sadashiv.
04. As far as considering the evidence on sale deeds, the plaintiff has sought a declaration that, the sale deeds are not binding upon her shares. That means the execution of the sale deed is admitted by the plaintiff. Only thing is that whether the sale deed binds the share of the plaintiff is the question.
05. It is not the execution of the sale deed, which is disputed by the plaintiff. Ld. Advocate for the plaintiff submitted that, the execution of the sale deed is admitted. So, there is no need even to lead evidence upon the sale deeds. Therefore, as the prayer of defendant No.8 and 9 is restricted to lead their evidence, to prove the sale deeds, and as execution of the sale deed is admitted, there is no necessity to lead evidence upon it. Hence, the application is rejected. The certified copies of the sale deeds be executed.

Sd/-

{ S.N.Sarde }

Civil Judge Senior Division,
A h m e d p u r

Date : 05/05/2026.