

MHLA110007642018



ORDER BELOW EXH.91 IN
RCS NO.95/2015
THAKUBAI VS. BHAGIRATHIBAI & ORS.

1. Read the application and say filed thereon. Perused the records of the case. Heard Ld. Advocate for both sides.
2. This is an application filed by plaintiff for giving direction to defendant No.3 for leading his evidence before the evidence of plaintiff on the ground that, the burden of proving the partition is on defendant No.3. This suit is for partition and separate possession. Though defendant No.3 has come with the defence that, the partition was already effected before the death of Goroba Shingade, he has denied the relation of plaintiff with Goroba. Therefore, it is for plaintiff to prove the same. So also, the initial burden is always upon the plaintiff to prove his case. Therefore, application is liable to be rejected. Hence, I pass the following order.

ORDER

Application below Exh.91 is rejected.

Dt.:- 10/10/2025

Jt. Civil Judge Sr. Dn., Nilanga.