

**ORDER BELOW EXH.1.**

Learned advocate Shri. D.T Patil has argued on the point of limitation of the suit. According to him, there is no need of defence in that regard as per section 3 of the Limitation Act. Learned advocate Shri. Sankaye for the plaintiff replied that suit is well within limitation from the date of knowledge. It is not barred by limitation.

02. I have carefully gone through the record. During the final argument both parties have emphasis on the point of limitation of the suit. It is root of the matter. The limitation has played vital role in seeking reliefs/remedies from the Court. In view of the section 3 of the Limitation Act, the defence of limitation is not required. Hence, it is necessary to frame the issue regarding limitation to determine entitlement for reliefs and decide that argument. Accordingly, that argument will be dealt and the right and liabilities will be determined. I find necessary to frame issue of limitation. This is fit case to frame additional issue of limitation. Hence, I pass following order,

ORDER

1. The following additional issue shall be framed in the interest of justice.

Additional Issue No.2A

“Whether the suit is filed within limitation”

2. Both parties have liberty to adduce evidence on the

additional issue, if required.

3. Both parties shall expedite the suit and proceed further without claiming adjournment.

4. Order dictated on computer and pronounced in the open court.

Date-04/05/2026
Deoni.

(S.A. Surjuse)
Civil Judge, Jr. Dn., Deoni.