

Order below Exh. 82 in RCS No. 13/2021

(MHRT08-000083-2021)

In view of of order below Exh. 01, additional issued is added in the issues framed at Exh. 01 and issues are re-casted as follows -

01. Does plaintiff prove that suit property is ancestral one?
02. Does plaintiff prove that they are owner and possessor of suit property?
03. Does plaintiff prove that defendant No. 01 has started constructing house at their common ancestral property without prior permissions required?
04. Does plaintiff prove that defendant No. 01 has obstructed peaceful possession of plaintiff and defendant No. 05 to 25 by way of starting unauthorized construction work at suit property?
05. Does plaintiff prove that suit property isn't yet partitioned?
06. Does plaintiff prove that he and defendant No. 19 to 25 are entitled for partition of suit property? If yes what is the respective share of them?
07. Whether defendant No. 01 and 02 prove that they are owner of suit property and they got share from Govind?
08. Is suit bad for non-joinder of necessary parties?
09. Does plaintiff prove that is entitled for mandatory injunction against defendant No. 01 by way of demolishing alleged encroachment made in suit property ?

10. What order?

Date- 26/09/2024

(Shruti H. Patil)
Jt. C.J.J.D. Deorukh.