

Order below Exh. 01 in RCS No. 13/2021
(MHRT08-000083-2021)

It appears that vide Exh. 102, plaintiff sought permission to the amend the plaint. The said application was allowed. Amendment was made at Exh. 01. To the amended plaint, written statements has been filed at Exh. 104/B by learned advocate for the defendant. It appears that plaintiff has sought additional relief of demolition of alleged construction made by defendant No. 01 in suit property by way of issuing mandatory injunction. However, vide issue framed at Exh. 82 no separate issue appears to have been casted at Exh. 82. Hence, in view of amendment in the plaint, issues need to be re-casted. Hence, following additional issues be made.

ISSUE

Does plaintiff prove that he is entitled for mandatory injunction against defendant No. 01 by way of demolishing alleged encroachment made in suit property ?

Date- 26/09/2024

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