

MHSN080000652013



**Order below Ex.1 in RCS 25/2013
Mahadev Sankh & Ors Vs Sunil Sankh & Ors**

The suit is for partition, and other consequential reliefs.

2 The contesting defendants have filed written statment cum say below Exh.25. Issues have been framed below Exh.26.

3 The matter is part-heard i.e., the plaintiff's witness 1 is under cross-examination. During pendency of the suit, the plaintiffs sought an amendment below Exh.71 which came to be allowed on 18/09/2025. The defendants have filed their amended written statement. The amendment was allowed for the sale-deed, during the pendency of the suit and the Will executed by plaintiff 1 in favor of plaintiff 2.

4 The power to frame, alter, add to, or modify the issues is governed by Order 14 Rule 5 of the CPC, and may be exercised till passing of the decree. In view of the amended pleadings, it is necessary to frame additional issues, for proper adjudication. Hence, the following

Order

The following additional issues are framed.

“ 3A) Do the plaintiffs prove that the sale-deed is not binding on their share?

3B) Do the plaintiffs further prove that the Will is not binding on their share?”

2 Note be taken below Exh.26. The parties to lead evidence, if required.

Jath
Date:- 13/11/2025

(Sanjay P. Bunde)
Jt C.J.J.D, Jath

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Mahadev Sankh & Ors Vs Sunil Sankh & Ors

Issues 'L' **continued below Ex.26**

*Additional issue framed vide order below Ex.1 Dt.13/11/2025

“ 3A) Do the plaintiffs prove that the sale-deed is not binding on their share?

3B) Do the plaintiffs further prove that the Will is not binding on their share?”

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