

R.C.S. No. 32/2016
Anil Wagh & ors. Vs.
Audumbar Kadam.
CNR No.MHSO07-000047-2016

Order below Exh. 18 in R.C.S. No. 32/2016
(passed on : 28/02/2020)

Present application filed by defendant as per order XXVI rule 9 of Code of Civil Procedure. Wherein he stated that, R.C.S. no. 488/2015 was filed by present defendant against the plaintiff for permanent injunction. Subject matter of both the suit are one and same. Hence, my learned predecessor passed an order below exh. no. 18 regarding clubbing of both the matter. And this application at exh. no. 18 was kept in abeyance.

02. Meanwhile defendant has filed documents vide exh. no. 24 i.e. certified copy of the judgment in R.C.S. No. 227/2017 (old R.C.S. No. 488/2015). Hence, order dated 18/08/2016 at exh. no. 18 becomes frustrated. As suit which was order to be clubbed with present suit is already decided by judgment dated 03/02/2018. Hence, clubbing order passed by my learned predecessor is hereby set aside and matter will proceeded further. Both the parties to take note and proceed further in the present suit.

(Dictated and pronounced in open Court.)

Date:- 28-02-2020
Place:-Pandharpur

(Smt. R. G. Kumbhar)
5th Jt.C.J.J.D. & J.M.F.C.,
Pandharpur

CERTIFICATE

I affirm that the contents of this P.D.F. file order/judgment are same word to word, as per the original order/judgment.

Name of the Stenographer : M. P. Gheradi, Steno L.G.
Court Name :5thJt.C.J.J.D. & J.M.F.C., Pandharpur.
judgment signed by the P.O.on :29/02/2020
judgment uploaded on :03/03/2020