

Order below Exh.18in R.C.S. No.327/2019

The plaintiff has filed the present application for amendment of the plaint. Defendant filed say overleaf to the application and resisted it.

2. Both the advocates absent when called out repeatedly. Application is filed on 05.11.2020. Since then it is pending. Hence, passing this order without hearing both the parties.

3. It is contended in the application by the plaintiff that defendant No.3 Sudarshan is minor, but inadvertently his age is mentioned as 28 in the plaint. Therefore, it needs to be corrected. On the contrary, it is just a typographical mistake and will not change the nature of the suit. Hence, prayed to allow the application.

4. Defendants in their say submitted that birth certificate is not filed. There is no documentary evidence to show defendant No.3 is minor. Hence, application be rejected.

5. The record shows that summons to defendant No.3 served vide Exh.08 being guardian by defendant No.4. Hence, the plaint needs to be amended as prayed. There is no prejudice to the defendants if plaint is amended. On the contrary it will help to decide the matter on merit. Hence, I pass the following order :

ORDER

1. Application for amendment is allowed.
2. Plaintiff is allowed to amend the plaint as prayed in the application and file amended copy on or before next date.

Date : 24.08.2023.

[M.R. Kamat]
Jt. C.J.J.D., Pandharpur.

Order below Exh.191 in R.C.S. No.629/1992

The plaintiff has filed the present application seeking permission to produce important document. The defendant has filed say on the back leaf of it and resisted it on the ground that the application is not legal and prayed for reject the application.

3. Heard both sides. Perused the documents. It seem that the documents may be of help in deciding the matter. Mere production of documents will not cause any prejudice to the defendant. Hence, Production is allowed as sought.

Date : 24.08.2023.

[M.R. Kamat]
Jt. C.J.J.D., Pandharpur.

Order below Exh.01.

Today the plaintiff and defendant appeared before the court.

2. Perused the compromise pursis (Exh.10) at filed jointly by the both the parties. Both the parties have identified by their counsel. Both the parties have admitted to have gone through the contents of pursis (Exh.10). They have also admitted their signatures over Exh.10.

3. Hence, the matter is disposed of in terms of compromise pursis (Exh.10), being amicably settled.

4. Compromise decree be drawn accordingly.

Date :23.08.2023.

[M.R. Kamat]
Jt. C.J.J.D., Pandharpur.

Order below Exh.5 n R.C.S. No.438/2023

Heard advocate Shri Bahirat for plaintiffs. Perused
plaint, affidavit, application Exh.05, the documents filed on
record. It is seen from the record that, the sale deed in
question is executed in year 2021. Therefore, defendant
No.2 needs to be heard prior to passing any order in this
application, hence, issue show cause notice as to why the
the injunction should not be granted as prayed by the
plaintiff. Returnable on 30.08.2023. S.B. allowed.

Date :23.08.2023.

[M.R. Kamat]
Jt. C.J.J.D., Pandharpur.

Common Order below Exh.1 and 220
in R.C.S. No.566/1988

This court is having only Roznama of this matter since beginning till today. This application is filed by both the advocates and submitted that the matter is remanded by the Hon'ble High Court to the Appellate Court for fresh hearing and the appeal is pending bearing Appeal No. 143/2008.

2. Therefore, there are no reasons for keeping these Roznamas on the file of R.C.S. No.566/1988. Xerox copy of Exh.217 in R.C.S. No.566/1988 is attached in the file which is having order of my learned predecessor and as per that order record and proceeding was sent to the Hon'ble District Court, but the matter is remained pending on the CIS as RCS No. 566/1988. Hence, considering the application, order below Exh.217 and the order of Hon'ble Bombay High Court matter is disposed of in terms of order of the Hon'ble Bombay High Court. The record pending in this court be sent to the Hon'ble District Judge, Pandharpur in Appeal No.143/2008.

Date : .08.2023.

[M.R. Kamat]
Jt. C.J.J.D., Pandharpur.

Order below Exh.20 in R.C.S. No.31/2019

The plaintiff has filed the present application seeking permission to produce document i.e. certified copy of order passed below Exh.1 in RCS No.382/2006 pending in the court of Civil Judge Junior Division, Pandharpur.

2. The defendant has filed say and resisted the application on the ground that the prayer in present case and prayer in RCS No.382/2008 are totally different. Hence, defendant prayed to reject the application.

3. Heard both sides. Perused the documents. It seem that the documents may be of help in deciding the matter. Mere production of documents will not cause any prejudice to the defendant. Hence, Production is allowed as sought.

Date : 23.08.2023.

[M.R. Kamat]
Jt. C.J.J.D., Pandharpur.

Order below Exh.70 in R.C.S. No.568/2018

The plaintiff has filed the present application for production of original copies of document listed below Exh.04. The defendant has filed say overleaf to the application and prayed for rejecting the application.

2. Heard both sides. Perused the documents. It seem that the documents may be of help in deciding the matter. Mere production of documents will not cause any prejudice to the defendants. Hence, Production is allowed as sought.

Date : 23.08.2023.

[M.R. Kamat]
Jt. C.J.J.D., Pandharpur.

CNR : MHSO0700005722016

RD. No.68/2016

Order Below Exh-01

Today the the representative of D.H., namely Ashok Shankarrao Mane is present before the the court. He has filed pursis at **Exh.17** stating that he wants to withdraw the petition as the execution petition is complied and they got the possession of the suit property. The D.H. do not want to recover rent (as per column of No.8 of the Darkhast) from the J.D. Hence, D.H. does not want to proceed with the matter. Hence, the following order :

ORDER

The execution petition is disposed as fully satisfied.

Date : 22.08.2023.

[M.R. Kamat]
Jt. C.J.J.D., Pandharpur.

Order below Exh.74 in R.C.S. No.13/2016

The defendant No.1 has filed the present application for production of documents on record. The plaintiff has filed say overleaf to the application and resisted it.

2. Heard both sides. Perused the documents. It seem that the documents may be of help in deciding the matter. Mere production of documents will not cause any prejudice to the plaintiff. Hence, Production is allowed.

Date : 18.08.2023.

[M.R. Kamat]
Jt. C.J.J.D., Pandharpur.

Order below Exh.73 in R.C.S. No.13/2016

The plaintiff has filed the present application seeking permission to produce photographs on record. The said photographs are important for deciding the Exh.05. Hence, plaintiff prayed for allow the application.

2. The defendant has filed say overleaf to the application and resisted it on the ground that the photographs are not of suit property and they are not relevant to the present suit. Hence, the defendant prayed for rejecting the application.

3. Heard both sides. Perused application and say filed by the defendant. The defendant wants to produce two photographs along with list. The photographs may be of help in deciding the Exh.05. Mere production of the photographs will not cause any prejudice to the defendant. Hence, production as prayed in the application, is allowed.

Date : 18.08.2023.

[M.R. Kamat]
Jt. C.J.J.D., Pandharpur.

Order below Exh.01 in R.C.S. No.132/1998

Present matter is pending since 1998. Plaintiff present before the court. Plaintiff and defendant No.1A present,. The matter is pending for cross examination of the plaintiff by the defendant. The evidence of the plaintiff is filed on 16.10.2014 below Exh.119. Since then, matter is pending for cross examination. Today, application is filed by the plaintiff for adjournment of the matter to due absence of their advocate. Considering the age of the matter and the stage of the matter the reasons mentioned in the application are not satisfactory. On the contrary, plaintiff No.1 is himself is an advocate and therefore, the reasons mentioned in the application seems not satisfactory as plaintiff No.1 is present. Hence, application is rejected. At the oral request of plaintiff No.1 matter is kept for cross examination on 01.09.2023 at 11.00 a.m..

If plaintiff failed to remain present for cross examination on that day his evidence will be closed and chief examination will be discarded. Both parties to take note.

Considering the age of the matter and the stage of the matter and the guidelines issued by the Hon'ble Bombay High Court as well as Hon'ble Apex court, this matter is more than 20 years old. Hence, expedited.

Date : 17.08.2023.

[M.R. Kamat]
Jt. C.J.J.D., Pandharpur.

Order below Exh.26 in R.C.S. No.551/2018

This application is filed by the advocate for plaintiff for issuing witness summons to the cited witness. Say filed by the defendant and resisted the application and prayed for its rejection.

2. Heard advocate Shri Lamkane for plaintiff and Shri Gasavi for the defendant. Perused application, say.

3. Present suit is for declaration and injunction. It is prayed by the plaintiff that the release deed bearing No.1749, dated 20.05.2017 was written by the Bond Writer Salunkh and therefore, he needs to be examined to prove the deed. Considering the submissions and the prayer the document is relevant and required to be proved hence, witness is also relevant. Hence, I pass the following order :

: ORDER :

1. Application is allowed.
2. Issue witness summons to the cited witness in the application subject to payment of witness bhatta.

Date : 16.08.2023.

[M.R. Kamat]
Jt. C.J.J.D., Pandharpur.

Order below Exh.27 in R.C.S. No.551/2018

This application is filed by the advocate of defendant Shri Gosavi for setting aside the no cross order passed below Exh.23 o 19.06.2023. Plaintiff filed say overleaf to the application and resisted it and prayed to reject the application.

2. heard advocate Shri Gasavi for defendant and Shri Lamkane for plaintiff. Perused application,, say and order below Exh.23.

3. party needs to be given sufficient opportunity for leading their case. The order below Exh.23 is passed on 19.06.2023. The application is filed today. Considering the nature of the suit as it is for declaration an injunction. For the interest of natural justice the order below Exh.23 required to be set aside. Hence, I pass the following order :

ORDER

1. No cross order passed below Exh.23 is hereby set aside subjection to costs of Rs.500/- to be paid to the plaintiff on or before next date.
2. Defendant to take cross examination on next date.

Date : 16.08.2023.

[M.R. Kamat]
Jt. C.J.J.D., Pandharpur.

Order below Exh.01 in R.C.S. No. 324/2023

Defendant No.3 and 4 appeared through advocate Shri Bagal as per Vakalatnama below Exh.22. Advocate Shri Kshirsagar filed application below Exh.24 stating that he has appeared by filing Vakalatnama on behalf of defendant No.3 and 4, but, he could not file the Vakalatnama of defendant nos.1, 2 and 5 due to their absency to sign the vakalatnama and prayed for time to file V.P. on behalf of defendant Nos.1 ,2 and 5 and also prayed for extension of time to file written statement and say. The application Exh.24 was allowed on 05.07.2023. Thereafter, neither defendant Nos.1, 2, and 5 appeared in person nor advocate Shri Bagal or advocate Shri Kshirsagar filed their V.P. on record, nor they filed written statement and say till today.

2. Defendant No.6 also appeared as per Eh.19 V.P. on 05.07.2023. they also filed to file written statement.

3. As defendant No.1 to 6 failed to file written statement, the suit to proceed without written statement and say to Exh.05 of defendant No.1 to 6.

Date : 16.08.2023.

[M.R. Kamat]
Jt. C.J.J.D., Pandharpur.

Order below Exh.72 in R.C.S. No.13/2022

Considering the order below Exh.72, status quo is extended till next date with the same directions as mentioned in Exh.72 and Exh.65.

Both parties to take note of this order.

Date : 16.08.2023.

[M.R. Kamat]
Jt. C.J.J.D., Pandharpur.

Order below Exh.71 in R.C.S. No.13/2022

This application is filed by advocate for the plaintiff on the ground that he is not feeling well therefore he unable to argue Exh.05 and prayed for adjournment for hearing Exh.05.

2. Defendants filed say and resisted the application on the ground that matter is adjourned by vacating status quo.

3. Heard advocate Shri Bhadule for plaintiff and advocates Shri Ghogardare and Shri Sarwale for defendants. Perused the order below Exh.65 passed on 26.07.2023.

4. As per the order below Exh.65, it is directed to the plaintiff to argue Exh.05. Considering the reason about the illness of the advocate, the matter is adjourned strictly as a last chance and is fixed on 18.08.2023 for argument on Exh.05.

5. If plaintiff fails to argue Exh.05 on next date the application will be decided without the argument of plaintiff.

6. Both parties to take note of this order.

Date : 16.08.2023.

[M.R. Kamat]
Jt. C.J.J.D., Pandharpur.

**ग्रामीण पोलिस स्टेशन, पंढरपूर यांचेकडील गुन्हा नोंदणी क्रमांक ३८३/२०२३ मधील
जामीन अर्जावरील आदेश**

प्रस्तूत अर्ज आरोपी क्र.१ व ५ तर्फे दाखल करण्यात आला आहे. आरोपींचे कथन की, त्यांच्यावर ३६५, ३२७ प्रमाणे गुन्हा दाखल केलेला आहे व तो प्रस्तूत आरोपींना मान्य व कबूल नाही. प्रस्तूत अर्जदार हे भाळवणी येथील कायमचे रहिवासी आहेत. अर्ज मंजूर झाल्यास अर्जदार हे कोठेही पळून जाणार नाहीत. तसेच न्यायालयाच्या अटींचे पालन करण्यास तयार आहे. अर्जदारावर यापूर्वी कोणताही गुन्हा दाखल नाही. प्रस्तूत अर्जदार हे सरकारी साक्षीदारांवर दबाव आणणार नाहीत. अर्जदार हे प्रत्येक तारखेस हजर राहण्यास तयार आहेत. अर्जदार हे योग्य तो जामीन देण्यास तयार आहेत. सबब अर्जदार यांनी प्रस्तूत अर्ज मंजूर करण्याबाबत विनंती केली आहे.

२. प्रस्तूत अर्जावर म्हणणे दाखल करून सरकारी वकीलांनी प्रस्तूत अर्ज मंजूर करण्यास आक्षेप नोंदविला आहे. सरकारी वकीलांचे कथन की, आरोपी व फिर्यादी हे एकाच गावातील असल्याने आरोपींना जामीनावर सोडल्यास साक्षीदारांवर दबाव आणण्याची शक्यता आहे व आरोपींकडून पुन्हा अशा प्रकारचा गुन्हा घडण्याची शक्यता आहे. आरोपींकडून तपासात सहकार्य न करण्याची शक्यता आहे. सबब सरकारी वकीलांनी प्रस्तूत अर्ज नामंजूर करण्याची विनंती केली आहे.

३. प्रस्तूत अर्जास स.पो.फौ खर्चे यांनी म्हणणे दाखल करून प्रस्तूत अर्ज नामंजूर करण्याची विनंती केली आहे. आरोपी क्र.१ तेजस बाबू उर्फ गणपत गवळी व आरोपी क्र.२ शुभम आप्पासो गायकवाड हे भाळवणी पंढरपूर येथील रहिवासी आहेत. आरोपींना जामीनावर मुक्त केल्यास सदर गुन्ह्यातील फिर्यादी व त्याचे नातेवाईक व इतर साक्षीदारांवर दबाव आणण्याची शक्यत नाकारता येत नाही. आरोपी हे न्यायालयात हजर राहणार नाहीत व पळून जाण्याची शक्यता आहे. न्यायालयाने दिलेल्या अटींचे व आदेशाचे पालन करणार नाहीत. प्रस्तूत आरोपींना जामीनावर सोडल्यास इतर आरोपींचा ठावठिकाणा समजून येणार नाही. कायदा व सुव्यवस्थेचा प्रश्न निर्माण होण्याची शक्यता आहे. सबब आरोपींचा अर्ज नामंजूर करण्याची विनंती करण्यात आली आहे.

४. प्रस्तूत अर्ज, त्यावरील सरकारी वकीलांचे तसेच तपासी अधिकारी खर्चे यांचे म्हणणे यांचे अवलोकन केले. आरोपींना प्रस्तूत प्रकरणात दिनांक १०.०८.२०२३ रोजी अटक करण्यात आली आहे. प्रथम खबरी अहवालातील मजकूर पाहता फिर्यादीला आरोपींनी रस्त्यात आडवून त्याच्या डोक्यात कोयत्याने मारहाण केली, तसेच केबल वायरने हाताला तोंडाला पाठीला व पायाला मारले व मोटारसायकलवरून विजय गवळी यांच्या गुरांच्या शेडवर नेले, तेथे पुन्हा बांधून घालून मारहाण केली, ती मारहाण काठी, केबल व वायरने केले, तसेच ट्रॅक्टरला बांधून घातले व ओढत नेले, अशी फिर्यादीची तक्रार आहे. या प्रकरणी तीन आरोपी अदयापी अटक व्हायचे आहेत. तसेच तपास या घडीला अपूर्ण असल्याचे कागदपत्रांवरून दिसून येते. आरोपी विरुध्द भा.द.वि. कलम ३६५, ३२७ सह १४९ यासह इतर कलमांअन्वये गुन्हा दाखल आहे. अशा परिस्थितीत या गुन्ह्याचा तपास प्रगतीवर असल्याने तसेच इतर आरोपी अटक होण्याचे असल्याने या आरोपींना जामीनावर खुले केल्यास तपासामध्ये अडथळा येण्याची दाट शक्यता आहे. भा.द. वि. कलम ३६५ या गुन्ह्यास ७ वर्षांपर्यंत शिक्षा आहे. तसेच भा.द.वि. कलम ३२७ मध्ये १० वर्षांपर्यंतची शिक्षा आहे. गुन्ह्याचा तपास सुरु असल्याने इतर आरोपी अटक होण्याचे असल्याने या आरोपींना जामीनवर सोडता येणार नाही. त्यांना जामीनावर खुले केल्यास तपासात आडथळे निर्माण होण्याची तसेच साक्षीदारांवर दबाव येण्याची फरारी आरोपींची अटक लांबण्याची दाट शक्यता आहे. तसेच आरोपी व फिर्याद एकाच गावचे असल्याने पुन्हा अशा पद्धतीची एखादी घटना घडण्याची शक्यता आहे. त्यामूळे मी खालील प्रमाणे आदेशा पारीत करीत आहे.

आदेश

अर्ज नामंजूर करण्यात येतो.

दिनांक – १४.०८.२०२३

(एम.आर.कामत)

सह दिवाणी न्यायाधिश, क.स्तर, तथा.
प्रभारी प्रथमवर्ग न्यायदंडाधिकारी, पंढरपूर.

Order below remand application in Cr. No.517/2023 of
Taluka Police Station, Pandharpur

Accused produced before me at about 03.45p.m.
He has no complaint of illtreatment at the hands of police.
As Investigating Officer demanded MCR accused remanded
to MCR till 25.08.2023.

Date : 14.08.2023.

[M.R. Kamat]
Jt. C.J.J.D., Pandharpur.

Order below remand application in Cr. No.456/2023 of
Taluka Police Station, Pandharpur

Accused produced before me at about 03.40p.m.
He has no complaint of illtreatment at the hands of police.
As Investigating Officer demanded MCR accused remanded
to MCR till 25.08.2023.

Date : 14.08.2023.

[M.R. Kamat]
Jt. C.J.J.D., Pandharpur.

Order below PCR application in Cr. No.383/2023 pf the
Gramin Police Station, Pandharpur

Accused are produced before me at about 12.55p.m. They have no complaint of illtreatment at the hands of police.

2. Heard I.O, APP and advocate Shri Sardar for accused. Perused remand report, case diary. Further P.C.R. is sought by the I.O. for the arrest of the other accused. The remand report shows that vehicle, weapons and the mobile is recovered. Accused are in custody of the police since 10.08.2023. Case diary does not reveal satisfactory grounds for extension of the PCR. Hence, both the accused are remanded to M.C.R. till 25.08.2023

Date : 14.08.2023.

[M.R. Kamat]
Jt. C.J.J.D., Pandharpur.

Order below PCR application in Cr. No.383/2023 pf the
Gramin Police Station, Pandharpur

Accused are produced before me at about 12.55p.m. They have no complaint of illtreatment at the hands of police.

2. Heard I.O, APP and advocate Shri Sardar for accused. Perused remand report, case diary. Further P.C.R. is sought by the I.O. for the arrest of the other accused. The remand report shows that vehicle, weapons and the mobile is recovered. Accused are in custody of the police since 10.08.2023. Case diary does not reveal satisfactory grounds for extension of the PCR. Hence, both the accused are remanded to M.C.R. till 25.08.2023

Date : 14.08.2023.

[M.R. Kamat]
Jt. C.J.J.D., Pandharpur.

Common Order below Exh.1 and 131 in R.C.S. No.70/2008

Plaintiff Pandurang Awatade and his advocate Ahri Chawan absent when called out repeatedly. Advocate Shri Dharurkar and defedants Nos.1 to 5 are also absent. Advocate Shri Satale and defendant No.6 Dilip Sadashiv Mote are present. Matter is pending for cross examination of P.W. No.1 Pandurang by defendant Nos.6 and 7. It is differed on 01.02.2016, since then Pandurang is absent. The Roznama shows that Plaintiff and his advocate are absent since 13.01.2021.

2. On 18.03.2023 my learned predecessor passed order below Exh.1. That order is not complied, since then till today. Hence, as P.W. No.1 Pandurang is absent, there is no cross of P.W. No.1 as he is absent by defendant Nos.6 and 7. Further, as plaintiffs failed to comply the order below Exh.1 his evidence is hereby closed. Defendants are directed to lead their evidence on next date.

Date : 14.08.2023.

[M.R. Kamat]
Jt. C.J.J.D., Pandharpur.

प्रस्तूतचा अर्ज सरकारपक्षातर्फे अटक आरोपींची ०५ दिवसांकरीता पोलिस कस्टडी रिमांड मंजूर होवून मिळणेबाबत केला आहे. सरकारपक्षाचे कथन की, आरोपीनी सदरचा गंभीर स्वरूपाचा गुन्हा संगनमताने केलेला असून, त्याचा तपास चालू आहे. आरोपीने वापरलेले हत्यार कोयता व गुनह्यात वापरलेले वाहन मोटार सायकल आरोपीकडून जप्त करायचे आहे. उर्वरीत आरोपीचा ठावठिकाणा अटक आरोपींना माहित असल्याने त्यांच्या मदतीने इतर आरोपींना अटक करावयाचे आहे. अटक आरोपींना गुन्हा करण्यासाठी कोणी प्रवृत्त केले. त्याचे आणखी साथीदार कोण आहे याबाबत तपास करणे आहे.

दिनांक १८.०८.२०२३

निवेदन

आदरणीय महोदय

निवेदनास कारण की माझी मुलगी कु. स्वरा राजीव गोगी ही सोलापूर येथील दमाणी विद्या मंदीर येथे दिनांक १९.०८.२०२३ रोजी शहर पातळी आंतरशालेय वक्तृत्व स्पर्धेस अंतिम फेरीसाठी निवड झाली आहे. स्पर्धा दुपारी १२.३० वाजता आहे. माझी मुलगी ही इयत्ता २ री मध्ये शिकत आहे. तिने स्पर्धेसाठी तयार केली आहे.

माझी पत्नी ही मॉडर्न हायस्कूल सोलापूर येथे सह शिक्षिका या पदावर कार्यरत आहे. तिने मुख्याध्यापीका यांना दिनांक १९.०८.२०२३ रोजीसाठी अर्ध्या दिवसाची किरकोळ रजा मिळणेबाबत तोंडी विनंती केली असता, त्यांनी दिनांक २०.०८.२०२३ रोजी शाळेत परिषा असल्याचे व परिक्षेची तयारी करायची असल्याचे कारण सांगून रजा देण्यास योग्य कारणा शिवाय रजा नाकारली आहे. आमची मुद्दामहून अडचण केली आहे.

सबब मला दिनांक १९.०८.२०२३ रोजी साठी एका दिवसाची किरकोळ रजेसाठी अर्ज आपणाकडे द्यावा लागत आहे. मी रजेचा अर्ज ए.एस. मॅडन यांना दिला आहे.

माझी पत्नी मुख्याध्यापीका यांना रजा मिळणेबाबत विनंती करित आहे. माझ्या पत्नीची रजा मंजूर झाल्यास मी कार्यालयात हजर राहीन.

मला वैयक्तिक खाजगी कारणासाठी मला दिनांक १९.०८.२०२३ रोजी साठी एक दिवसाची किरकोळ रजा मंजूर करून उपकृत करावे ही विनंती आहे.

करीता सविनय सादर.

आपला विश्वासू,

(राजीव म. गोगी.)
लघुलेखक ग्रेड -३

वादी नं २ हा

या प्रतिवादी १ चे उत्तुन चांलुु हुते वलदीचे म्हणणे असे हे की प्रतिवादी क्र.१ जुगाराने बरेच पैसे गमवले प्रतिवादी २ ने फायदा घेवून खरेदीखत आणले. खरेदी खत देतांना महेश जाधव लक्ष्मण जाधव ४९००००० ॢ७७७ पैकी ह२ आर पैकी १/३ हिस्सा

तडजोडी प्रमाणे विभक्त हिस्सा लक्ष्मणला यांना मिळाल्याने वादी क्रव१ व २ हे कोपार्सनरी
वादी क्र.३ चा