

MHST060010672018



ORDER PASSED BELOW EXH. 31 IN R.C.S. NO. 209 OF 2018.

Read application and say. Heard both the side. The application is contested on the point of vague averments in the application and issues are already framed in present suit. However, considering previously framed issued Exh. 29 and pleadings, issues sought in the application are material and are necessary as sought with different wording. Thus, issues sought in the application are necessary to decide real cause. Thus, in the interest of justice application deserves to be allowed as under :-

- O R D E R -

1. Application allowed.
2. Following additional issues be framed at Exh.29 as under :-
 - 2A- Does defendant No. 1 prove that their was previous partition in respect of suit properties as alleged ?
 - 2B- Does defendant No. 1 prove that the plaintiff had relinquished his right as alleged ?
 - 2C- Does defendant No.1 prove that he has developed the suit property out of his own income as alleged ?
3. Matter be posted for next stage.
4. Costs in cause.

Date : 21.10.2023

(G.D. Patil)
Civil Judge Jr. Division,
Dahiwadi.

:- Affirmation certificate :-

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

Name of the Stenographer :- A. N. Ombase, Steno Grade-3,

Name of the Court :- Civil Judge (J.D.) & J.M.F.C.,
Dahiwadi, Tal. Man, Dist.
Satara.

Date of judgment/order :- 21/10/2023.

Judgment/order signed by the
Presiding Officer on :- 21/10/2023.

Date of judgment/order uploaded on :- 21/10/2023.