

ORDER BELOW EXH. 102 IN RCS NO. 15/2012

(CNR-MHST070000912012)

Ananda Baburao Patil Vs. Rajaram Baburao Patil and other

The defendant no. 1 and 2 have filed an application to frame additional issues i.e whether plaintiff proves that, compromise decree passed in R.C.S no. 276/2012 is not binding upon the plaintiff. Learned advocate of defendant has further submitted that, there had been compromise between plaintiff and defendants on the day of Lokadalat i.e 04/03/2012 in R.C.S no. 176/2012. Therefore, proposed issue may be framed as a additional issue.

2. On the other hand, plaintiff has filed his say proposed issued is not necessary as it is covered under issue no. 8.

3. Heard both sides. I must mention here that, there is no pleading in respect of R.C.S no. 276/2012 in the plaint, therefore, proposed issue can not be framed as pleaded by the defendant no. 1 and 2. Thus, present application is required to be rejected. Hence, I pass following order.

ORDER

1. Application is rejected.

Date : 11.07.2022

(S. M. Sarode)
Jt. Civil Judge, Jr. Division, Karad.