

Order passed below Exh. 32 in RCS No. 56/2020

The present application is filed by the plaintiff for amendment of issues.

2. It is contention of plaintiff that present suit is filed for permanent injunction. Defendants have filed their written statement and court has framed the issues. At the time of framing issues court has framed issue no.1. "Whether plaintiff is the owner and possessor of the suit property described in para no.1 of the plaint". But in the suit of permanent injunction only lawful possession is required and not the issue regarding ownership is required. Therefore it is require to amend the issue no.1. Lastly, he prayed to allowed the application. On the contrary defendant has opposed the application.

3. Heard both sides and also gone through the pleading of both parties. The present suit is for permanent injunction. Considering nature of suit and pleading of parties it is just and proper to frame the issue "Whether plaintiff is lawful possessor of the suit property described in para no.1 of the plaint". Hence, application is liable to allow.

ORDER

1] Application is allowed.

2] Issue no.1 is amended as follows :

"Whether plaintiff is lawful possessor of the suit property described in para no.1 of the plaint".

Date: 11/12/2024

(Dinesh M. Gaikwad)
Jt. Civil Judge Jr. Dn., Risod.

CERTIFICATE

I affirm that the contents of this P.D.F. File Order/Judgment are same word to word, as per the original **Order**.

Name of the Stenographer : Prashant K. More, (Grade III)

Name of court : Jt. C.J.J.D. & J.M.F.C., Risod.

Date : 11.12.2024

Order signed by the
Presiding Officer : 18.12.2024

Order uploaded on : 18.12.2024