



Order below Exh.1 in R.C.S.No.49/1986

1. Perused the record.

2. It reveals from the record that the plaintiff filed this suit against the defendants for declaring that the decree passed in RCS No.47/1958 is nullity and also, for partition and separate possession of his $\frac{1}{4}^{\text{th}}$ share in the suit properties. Defendant No.1 is died. Defendant Nos.4 and 7 resisted the suit by filing their written statement at Exh.31. Defendant Nos.2, 3, 5 and 6 adopted the said written statement by pursis at Exh.33. Issues were framed at Exh.35 on 21.09.1990. Thereafter, the said issues were recasted on 08.02.1996. The suit was dismissed-in-default on 27.01.1997. By virtue of the order of the Hon'ble Bombay High Court, Bench at Aurangabad in Writ Petition No.1150/2019, the present suit was restored on its original file on 03.03.2021. Legal heirs of deceased defendant Nos.2, 4, 7 and 11 were brought on record. Defendant Nos.4A, 7A to 7D, 8 and 9 adopted the written statement filed by defendant Nos.4 and 7 by pursis at Exh.110. Defendant Nos.4B and 4EE also adopted the said written statement by pursis as Exh.130. The plaintiff amended the plaint by order below Exh.143 dated 17.11.2025. By way of this order, the plaintiff added defendant Nos.12 to 15 in this suit. Defendant No.14 filed written statement at Exh.178. Defendant Nos.12 and 15 adopted this written statement vide pursis at Exh.181. Defendant No.13 adopted this written statement vide pursis at Exh.184. Considering original and



amended pleadings of the parties, all the issues are required to be recasted. Hence, I pass following order :-

ORDER

1. Issues at Exh.35 are recasted.
2. Parties shall take note.

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Date : 18.12.2025

Place : Akole

(D.M.Hinglajkar)
Civil Judge Junior Division, Akole
Tal.Akole, Dist.Ahmednagar.



Certificate

I affirm that the contents of this PDF file are word to word as per original judgment/order.

Sd/-
(Amol U. Salpe)
Stenographer (Grade-3)
Civil Court Junior Division
Akole

Dictated on : 18.12.2025
Transcribed on : 18.12.2025
Checked and signed on : 19.12.2025