

Mr. Vaibhav Ugle, for the petitioner.

Digitally signed by
VARSHA DEEPAK
GAIKWAD
Date: 2025.09.25
18:11:52 +0530

CORAM : N.J. JAMADAR, J.
DATE : 23RD SEPTEMBER 2025.

ORAL ORDER:

1. Heard the learned counsel for the petitioner.
2. The challenge in this petition is to an order dated 4th August 2025 passed by the learned Civil Judge, Wadgaon, Maval, Dist-Pune, whereby the application preferred by the petitioner-plaintiff to frame additional issues (Exhibits- 88 and 90), came to be partly allowed by re-framing the issues as indicated in Para No. 14 of the impugned order.
3. The learned counsel for the petitioner submitted that, in the face of the Power of Attorney under which the defendant was not empowered to transfer the subject land to himself as an agent of the plaintiff, the learned Civil Judge committed an error in law in placing the entire burden of proof on the plaintiff

4. The suit is instituted for a declaration, that the sale deed dated 15th May 2013 executed in favour of the respondent-defendant is null and void and for the consequential relief of injunction.
5. Upon perusal of the pleadings and the material, the Court finds that the Trial Court has correctly placed the burden of proof on the plaintiff, as in the event no evidence is led, the plaintiff would fail.
6. Thus, no interference is warranted in the impugned order.
7. The petition stands dismissed.

(N.J. JAMADAR, J)