

In the Court of Mahendra Mishra, Sub Judge-II , Narkatiaganj

Partition Suit No. 71/2014

CIS No.- PS 172/2018

Ramesh Prasad and Others.....Plaintiffs
V/S

Laljee Prasad and Others.....Defendants

<u>DATE</u>	<u>ORDER</u>	<u>REMARKS</u>
22.05.2026	Plaintiffs filed their attendances. A petition dated 18.03.2026 has been filed on behalf of the Plaintiffs under Order 01 Rule 10(2) of CPC which is presented for hearing today on 22.05.2026. Learned counsel of the Plaintiffs prayed that the above suit has filed by the plaintiffs for partition of joint family property belonging to plaintiffs and the defendants. Some time beore the plaintiffs have got knowledge that the defendant no. 1 Laljee Pd. Executed a sale deed dated 27-11-2019 in favour of Smt. Jyoti Devi, W/O Naveen Kumar Burnwal and Smt. Anjali Kumari, W/O Nirmal Kumar Burnwal regarding part of the suit land. The above said purchasers are necessary party to the suit and whose presence on record enable to court effectually and completely to adjudicate upon and settle all the question of partition involved in the suit. It is therefore, prayed be pleased to allow this petition and pleased to add the name of Smt. Jyoti Devi and Smt. Anjali Kumari as defendants in the suit. Defendants have been debarred from filing the written statement; however, the defendants orally opposed the plaintiffs petition and submitted that the petition is liable to be dismiss. Heard Ld. Counsels of both the parties and perused the record. From perusal of the record it appears that plaintiffs have filed a petition under order 1 rule 10 of C.P.C and prayed to add the name	

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Continue 22.05.2026	of Smt. Jyoti Devi and Smt. Anjali Kumari as defendants in the suit. It appears that the person whose name is mentioned in petition is a necessary party to the suit. Necessary parties are those in whose absence no effective decree can be passed by the Court. It has also been held that if a necessary party is not impleaded in the suit, the suit itself is liable to be dismissed. Therefore, in the interest of justice, petition of the plaintiff dated 18.03.2026 is hereby allowed and plaintiffs are directed to add the name of Smt. Jyoti Devi and Smt. Anjali Kumari in defendant column within time limit. Plaintiffs are directed to file requisites for the appearance of added defendants. Put up on 30-06-2026 for further proceedings. Dictated Sub Judge-II Narkatiyaganj	
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