

2 CS DJ 785-23

RAJ THAKUR VS. RAKESH PATYAL

02.06.2026

Present:- Ms. Shalu Jai, Ld. Counsel for plaintiff through VC.
Sh. Pankaj Kr. Sharma, Ld. Counsel for defendant through VC.

1. Application under Order I Rule 10 CPC and application under Order VI Rule 17 CPC are pending for disposal.
2. No formal reply is sought to be filed to both the applications.
3. Arguments heard on both the applications.
4. List for orders at 4 pm.

(Bhavna Kalia)
DJ-1 (South-East), Saket Court
New Delhi/02.06.2026(sk)

At 4 pm

5. Vide this order, the application filed under Order I Rule 10 CPC read with section 151 CPC filed on behalf of plaintiff to implead Mr. Sandeep Kumar as defendant no. 6 in the array of parties, shall be decided.
6. It is submitted by Ld. Counsel for plaintiff that on 28.04.2025, when defendant no.1 filed additional documents, which were allowed to be taken on record by this Court on 31.10.2025, the plaintiff came into the knowledge of the fact that defendant no. 1 had sold out the suit property to Mr. Sandeep Kumar S/o Sh. Ram Das R/o 1771/7, Govindpuri Extension, Kalkaji, New Delhi-110019 vide sale deed dated 19.01.2023.

7. No formal reply has been filed to the application by the defendants.

8. Ld. Counsel for contesting defendants submitted that plaintiff was aware about the fact that suit property was already sold to Mr. Sandeep Kumar and he deliberately did not make said Sh. Sandeep Kumar as a party to the suit.

9. It is submitted by Ld. Counsel for plaintiff that when defendant no.1 filed additional documents, which were allowed to be taken on record by this Court on 31.10.2025, the plaintiff came into the knowledge of the fact that defendant no. 1 had sold out the suit property to Mr. Sandeep Kumar S/o Sh. Ram Das R/o 1771/7, Govindpuri Extension, Kalkaji, New Delhi-110019 vide sale deed dated 19.01.2023.

10. Submissions considered.

11. As per documents placed on record and as mentioned in the application filed under Order I Rule 10 CPC, it is submitted that suit property has been sold to one Sh. Sandeep Kumar. It is apparent from the documents placed on record also that interest of Sh. Sandeep Kumar has been created vide sale deed of the suit property which makes Sh. Sandeep Kumar a necessary party to the proceedings. Hence, for effective and complete adjudication of the matter and to avoid multiplicity of proceedings, the subsequent purchaser of the suit property is to be made a necessary / proper party to the present suit.

10. Accordingly Sh. Sandeep Kumar S/o Sh. Ram Das R/o 1771/7, Govindpuri Extension, Kalkaji, New Delhi-110019 is impleaded as defendant no. 6 in the present suit.

12. Application under Order I Rule 10 is disposed of accordingly as allowed. Amended memo of parties filed by the plaintiff. Same is taken on record.

Application under Order VI Rule 17 CPC.

13. Vide the present application, plaintiff wants to amend para 7, para 11 and para 13 of the plaint, incorporating the fact of registration of the sale deed of the suit property in favour of newly impleaded defendant Sh. Sandeep Kumar and also to bring on record the details of the same as well as the subsequent cause of action accrued thereof.

14. No formal reply has been filed to the application by the defendant.

15. Ld. Counsel for defendant has submitted that in the interest of justice, the application may be considered.

16. Record perused and submissions considered.

17. Vide separate order passed today filed under Order I Rule 10 CPC, defendant no. 6 has been allowed to be impleaded as a party. Thus, it is prayed by plaintiff that his application under Order VI Rule 17 may be allowed to bring in the details as mentioned in the application with respect to defendant no. 6. Application has been perused and the amendments mentioned in the application are also perused.

18. The application seeking amendment in plaint filed on behalf of plaintiff does not seek to change the nature or character of the suit and no prejudice will be caused to the defendants if the application is allowed and the amended plaint is taken on record.

19. Accordingly, in the interest of justice, application under Order VI Rule 17 CPC is allowed and amended plaint is directed to be taken on record.

20. List for filing of amended WS, if any, completion of pleadings/further proceedings on **27.08.2026**.

(Bhavna Kalia)
DJ-1 (South-East), Saket Court
New Delhi/02.06.2026(sk)