

ORDER BELOW EXH. 31 IN**H. R. P. SUIT NO.527 OF 2010**

Mr. Z. U. Malek, learned advocate of the plaintiff.

Mr. S. G. Kurian, learned advocate of the proposed defendant Nos.3.

Mr. D. A. Zala, learned advocate of the proposed defendant No.4.

Mr. H. R. Darji, learned advocate of the defendant Nos.1 & 2.

CORAM : Ms. N. H. Vasvelia, Judge.

ORDER

1 Read, this application. Heard the arguments of the learned advocates of the parties.

2 I have considered the arguments as well as records. From the record, it appears that the plaintiff has filed suit for injunction and present application is filed for joining as defendant Nos. 3 & 4 to Catholic Syrian Bank Ltd. and Bhairvin Sureshbhai Patel contending that it is come to the knowledge of the plaintiff that the present defendants have taken loan from the Syrian Catholic Bank and bank has sold out property of the defendant No. 1 and 2 in auction therefore, they are necessary party to proceed the matter.

3 The record shows that proposed defendant Nos. 3 & 4 appeared through advocate vide Exh. 42 and 51 but they have not filed any objection. Considering the application and record it is found just and proper to join the proposed defendants as defendant No. 3 & 4 to decide the matter in controversy between the parties in the present suit. Hence, in the interest of justice following order is passed.

ORDER

- 1 The application at Exh.31 is hereby allowed.
- 2 Parties mentioned in present application in para-3(a) are hereby permitted to join as defendant Nos. 3 & 4.
- 3 The plaintiff shall carry out amendment in the plaint at Exh.1 within time prescribed by law and produce the amended plaint on the record of the Court and supply the copy of the same to the other side.

Pronounced in the open Court today i. e.5th day of March, 2015.

(Nita Hareshbhai Vasvelia)
Judge,
Code No. GJ00761
Small Cause Court No. 8.
Ahmedabad.