

MHSN150014072020



(Vasantrao Bandopant @ Ramchandra Gole (Dead)-Other  
V/s.  
Vaibhav Madhavrao Rajhans-Other)

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( CNR No.:-MHSN15-001407-2020 )  
**ORDER BELOW EXHIBIT 85 IN**  
**SPECIAL CIVIL SUIT No.87/2020**  
{OLD SPECIAL CIVIL SUIT No.153/2016}

1. This is an application by plaintiffs in support of pending application *Exhibit 77* filed for amendment of the plaint.
2. According to plaintiffs vide application *Exhibit 77*, plaintiffs seeking to add pedigree as an *Annexure 'A'*. However, plaintiffs could not attach the pedigree with the application *Exhibit 77*. Therefore, vide the present application, plaintiffs sought permission to file the pedigree as *Annexure 'A'*, to attach the same with the application *Exhibit 77*, claiming that, if the application is not allowed, there is possibility of its effect on the order to be passed below *Exhibit 77*.
3. Defendants argued that, plaintiffs intentionally to delay the hearing of the suit, time to time filed various amendment applications and therefore this application is also filed after some delay to avoid the hearing on the application.

4. Having considered both sides and having considered the pending application *Exhibit 72 & 77*, it is just and proper to allow the present application to decide the pending amendment applications on merit. Therefore, for mere some delay, it is not a reason to reject the application. As the pedigree is essential for the just decision of the case and same being mentioned in the application *Exhibit 77*, the mere production of the pedigree in the form of ***Annexure 'A'*** would not cause any harm to defendants. Therefore, following order is passed.

## **ORDER**

1. Application is allowed.
2. Costs in cause.

**Vita.**

**(Sudhir N. Shinde)**

**Date: 14/07/2022.**

**Jt. Civil Judge Senior Division, Vita.**

I affirm that, the contents of this P.D.F. file Judgment/Order are same, word to word, as per the original Judgment/Order.

Name of the Stenographer : S. P. Pethkar.

Court : Jt. Civil Judge Senior Division, Vita.

Judgment/Order signed by

the Presiding Officer on : 14/07/2022.

Judgment/Order uploaded on : 16/07/2022.