

ORDER BELOW EXH.NO.40 IN R.C.S.NO.36/2021

This application is moved by third party namely Laxmibai Ramchandra Barde for adding her as a necessary party in this suit.

02. In short, her contention is that, plaintiff filed this suit for partition and possession. Wherein plaintiffs have given pedigree of the plaintiffs and defendants family member. Plaintiffs have mentioned that, the wife of Ramchandra i.e. Laxmibai had dead. But this applicant is a Laxmibai Ramchandra Barde and she is a necessary party in the suit. Plaintiffs mentioned that fact only with an intention to grab her share. So she has been given an opportunity to contest the suit for protect her rights being a wife of Ramchandra. Otherwise, irreparable loss and prejudice would be caused to her. Hence, the application for adding her in the array of defendants.

03. Defendants No.1 and 9 filed say and opposed the application on the ground that, the application moved by the applicant is false one. She is not the wife of deceased Ramchandra. The name of defendant No.1 was Laxmibai and she is no more. The applicant is a bogus person and her name is not true. She had not filed any document in support of her contention which shows that, she is a wife of deceased Ramchandra. Hence, application be rejected.

04. Perused the record. Heard the both sides. Considering the rival submission of the parties and the averments in the application before passing an order it is necessary to collect the

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documentary information in support of the contention of the third party. Hence, the applicant/third party is hereby directed to produce her ration card, adhar card and Grampanchayat certificate in support of her contention that, she is a wife of deceased Ramchandra Shivram Barde. It is essential for passing the proper order considering the nature of the suit and reliefs on next date. Till then the application be kept in abeyance for compliance and further order. Parties to take note.

Date : 14/11/2024.
Place : Sangamner.

(D. H. Dabhade)
3rd Jt. Civil Judge Senior Division,
Sangamner.