

MHAH170034802015

RCS No.200549/2015



Iqbal Kalubhai Shaikh & Ors. Vs.
Arvind Tayaba Palande & Ors.

ORDER BELOW EXH.61

1. The applicant namely Sunita Shyam Palande has filed present application for initiating the criminal proceeding against the plaintiffs. According to her she, Sanket, Sachin and Nilam are the legal heirs of deceased defendant No.3 Shyam. However, plaintiffs filed application for taking Smt. Kalpana Palande, Gautam Palande, Mahesh Palande and Amol Palande as legal heirs of deceased defendant No.3 on record. In RTS Appeal No.615/2017 plaintiff had included her, Sanket, Sachin and Nilam as legal heirs of deceased Shyam Palande and in the present suit he is intending to include above persons i.e., Kalpana and others as legal heirs of deceased Shyam Palande. Therefore, criminal action be taken against him.

2. Plaintiffs have filed say on overleaf of the application and submitted that the application is not legal and correct. Plaintiffs has filed another application at Exh.57 for taking legal heirs of deceased defendant No.3 Shyam on record, on the said application order be passed.

3. Despite of opportunity none of the parties have argued on the application. I have perused record. This is suit for perpetual injunction. At Exh.57 plaintiff has filed application for taking the legal heirs of deceased defendant No.3 on record, in

which the name of proposed legal heirs are shown as Kalpana Shyam Palande, Gautam Shyam Palande, Mahesh Shyam Palande and Amol Shyam Palande. The notice of the said application was issued. However, yet the notice report of said proposed legal heirs not received. Therefore, it is necessary to make the inquiry on the application at Exh.57 as to whether the said proposed legal heirs are heirs of deceased defendant No.3 or the present applicant and others 3 are the legal heirs. For that it is necessary to hear the said proposed legal heirs mentioned in the application at Exh.57. Therefore, plaintiff is directed to take necessary steps against the proposed legal heirs mentioned in application at Exh.57.

Date:- 30/03/2026.

(N. N. Joshi)
2nd Jt. Civil Judge Senior Division,
Rahata, Dist.Ahmednagar

CERTIFICATE FOR UPLOADING TO CIS

I affirm that the contents of this P.D.F File are same word to word, as per the original.

Name of the Court	:	Smt. Neha N. Joshi 2 th Jt. Civil Judge Senior Division & Addl. Chief Judicial Magistrate, Rahata, Dist.Ahmednagar.
Name of the Stenographer	:	Amol S. Nannaware Stenographer (Grade-II)
Dictated on computer	:	30/03/2026
Typed on	:	30/03/2026
Checked & Signed on	:	