

MHAU090016172024



ORDER BELOW EXH. 11 IN R.C.S No. 153/2024

The Present application has been filed by the Plaintiffs as per the provision of the Order 6 Rule 17 of the Code of Civil procedure, 1908. Plaintiffs submitted that, during the pendency of the suit, defendants have executed sale deed No. 6872 dated 05.09.2024 of the suit property in favor of Kiran Chandrakant Chavan illegally. Hence, it is necessary to add her as a defendant no.4 and carry out the necessary amendments in the plaint accordingly.

2. Defendants did not file their say. Hence, application be proceeded without say of defendants.

3. Perused the application and other documents on record. From perusal of sale deed No. 6872 dated 05.09.2024 of the suit property *prima facie* it appears that the proposed person has interest in the suit property. She appears to be necessary and proper party to the present suit. Hence, in my opinion it becomes necessary to implead them in the present suit for the purpose of the proper adjudication in the matter. It also just to allowed the necessary amendment in the plaint accordingly. Hence, in order to determine real controversy in the suit the present application is deserves to be allowed. Hence, in view of the above circumstance the application deserves to be allowed. For the reasons stated above I proceed to pass following order:

ORDER

a) Application (EX.11) is hereby allowed.

- b) Plaintiffs are hereby directed to implead Kiran Chandrakant Chavan as defendant no.4 within stipulated period.
- c) Plaintiffs are hereby directed to carry out necessary amendments in title, in the Plaint and Hukumnama.
- d) The copy of the amended plaint be served on the Defendants.
- e) Issue suit summons to the concerned Defendant No 4.

Paithan,
Date :- 02.12.2024.

(Aparna C. Rokade)
Civil Judge, Junior Division,
Paithan, Dist. Aurangabad.