

MHGA040004562020



IN THE COURT OF CIVIL JUDGE (JUNIOR DIVISION),
ARMORI, DIST. GADCHIROLI
(Presided Over by Smt. Vaishali V. Choudhari)

R.C.S. No.14/2020

- 1] Shri. Sudhakar Arjun Gonnade
 - 2] Shri. Dilip Arjun Gonnade
 - 3] Prajwal Subhash Nandankar
 - 4] Ujwal Subhash Nandankar
 - 5] Sau. Snehal Amit Paunikar
- ... Plaintiffs**

-Versus-

- 1] Shri. Arjun Kanhu Gonnade (Death)
Through Lrs.
 - 1A) Smt. Ashabai @ Yadnyakala Arjun Gonnade
 - 1B) Sau. Nanda Subhash Nandanwar
 - 1C) Sau. Chanda @ Aditi Uday Nagpure
 - 2] Shri. Santosh Arjun Gonnade
 - 3] Shri. Jagannath Kanhu Gonnade
 - 4] Sau. Sarswata Pandurang Dhakate
- ... Defendants**

Learned advocate for plaintiff : Shri. C.L. Darekar
Learned advocate for defendant : Shri. A.M. Kankate

Order Below Exh.90
(Passed on 10th November, 2025)

This is an application filed by the plaintiff for addition of necessary party under Order I Rule 10(2) of the Code of Civil Procedure, 1908.

2] Plaintiff has submitted that he has filed the suit for declaration of gift deed and sale deed as illegal and for partition. He further submitted that out of the six suit properties the defendant No.2 has sold house property bearing 1187/2 to Arun Ramkrushana Harshe and Subhash Ramkrushana Harshe. He further submitted that property bearing survey No.52 admeasuring 0.06H.R. has been sold by defendant No.1 to Ravikant Sudhakar Vairagade and Vivek Suresh Kandkurwar. Hence, the person to whom the above mentioned properties are sold are required to be added defendant Nos.5, 6, 7 and 8 in the suit.

3] Defendant No.2 has opposed the application by filing his say (Exh.95). He submitted that the suit was filed on 14.09.2020 and the application for temporary injunction was filed on 07.11.2020. The order on application for temporary injunction was passed on 12.12.2024. The defendant has sold the house property bearing No.1187/2 to Shri. Arun Harshe and Shri. Subhash Harshe on 11.06.2020 vide registered sale deed. The plaintiff had knowledge about the same. As the suit is filed after the above mentioned sale of house property, the addition of proposed defendant No.5 and 6 in the suit may caused injustice to them. Hence, application may be rejected.

4] Read the application and say. Heard, Ld. counsel for both the parties. Perused the record. Alongwith the instant application the plaintiff has filed copies of sale deed of above mentioned properties. In the suit the plaintiff has claimed that the suit properties are

ancestral properties. Out of the suit properties two properties are claimed to be sold to the proposed defendants. For proper adjudication of the suit, to protect every one's right and interest in the suit properties and to prevent future litigation over the same issue the application needs to be allowed. Hence, I pass the following order.

Order

- 1] Application is allowed.
- 2] The plaintiff is directed to add proposed defendant No.5, 6, 7 and 8 in the suit as a defendant No. 5, 6, 7 and 8 within 14 days and submit amended copy on record.
- 3] Cost in cause.

Date :10.11.2025

(Smt. Vaishali V. Choudhari)
Civil Judge (Jr.Dn.), Armori