

**ORDER BELOW EXH.100**

Applicants have filed present application under Order I Rule 10 of the Code of Civil Procedure for addition to them as defendants being a necessary parties.

2. Applicants submit that the property CTS No.2899, situated at Jalna was owned by one Shardabai Alias Mariumbi w/o Mustafa Ali Abbasi, R/o. Jalna who on dated 18.10.1995 agreed to sell the same to the applicants for valuable consideration of Rs.5,51,000/- by obtaining earnest amount of Rs.3,51,000/- executed an agreement of sale in favour of the applicants. But, before execution of the registered sale deed Shardabai died and her legal heirs have not executed registered sale deed of the suit property. Applicants submit that applicants are necessary party to the suit and hence they may be added as defendants to present proceeding.

3. Plaintiff strongly objected the application on ground that since 1995 i.e. from execution of alleged agreement to sale till filing of the present application (Exh.100) by the applicants i.e. from 28 years, applicants have not raised any claim in respect of suit property in the Court of law. Hence, prayed for rejection of the application.

4. Perused application and say.

5. Heard.

6. If applicants have at any grievance against in respect of suit property, then they have liberty to file the suit against the relevant persons, but they have not do so, nor give any explanation in respect of their claim and hence they have no locus standi to claim to add them as party, because their claim is hit by law of limitation. Hence, application is not tenable one. Accordingly, order follows.

**ORDER**

The application is rejected.

(Shri. D. S. Thorat)  
Civil Judge (S.D.),  
Jalna.

Date: 11.07.2024.