

MHKO070006582016



**ORDER BELOW EXH.72 IN SPECIAL CIVIL  
SUIT NO. 18/2016.**

Smt. Sulabha Pujari and anr.,  
Vs.  
Smt. Geeta Pujari and anr.,

The present application is filed by the plaintiffs No.4 to 6 under Order 1 Rule 10(2) of the Civil Procedure Code to transpose the plaintiffs No.1 to 3 as defendants No.16 to 18 in the suit. Accordingly, notice of this application was issued to plaintiffs No.1 to 3. In spite of service of notice, the plaintiffs No.1 to 3 have not filed their say.

2. Heard learned advocate for the plaintiffs No.4 to 6. Perused the application and record. On perusal of the same, it appears that the plaintiffs have filed the suit for partition and separate possession. Initially, the suit was filed by in all plaintiffs No.1 to 6 in the Court. The plaintiff No.4 has filed affidavit of examination-in-chief (Exh.17) and the suit is fixed for cross-examination of defendant No.4. Now, the relations between plaintiffs No.1 to 3 and present plaintiffs No.4 to 6 are strained. Now, there are conflicting interest between them. As the interest between them become conflicting to each other, it is not convenient to proceed jointly in the present suit. The plaintiffs No.1 to 3 have not filed their say to this application. Therefore, it is just and proper to transpose the plaintiffs No.1 to 3 as defendants No.16 to 18 in the suit. In the result, I pass following order.

**ORDER**

1. The application (Exh.72) is allowed.
2. The plaintiffs No.1 to 3 be transposed as defendants No.16 to 18 in the suit.
3. The plaintiffs to file the copy of amended plaint accordingly.

Date : 24.09.2025

( P.A.Patil )  
Jt. Civil Judge Senior Division,  
Jaysingpur.