

**ORDER BELOW EXH. 112 IN R.C.S.No. 88/2008**

1. It appears that this application is filed by plaintiffs' under Order 1 Rule 10 of Code of Civil Procedure to add as party to that suit.
2. According to plaintiffs, this suit is filed for partition and perpetual injunction. According to plaintiffs', suit property is ancestral property and sister of plaintiffs Gangubai Kalgonda Murchute was added as party in appeal proceeding. It is prayed that, her LR's are necessary party in the present suit and if the application is rejected, they will deprive their rights in the suit property. It is pleaded that, if the proposed defendants added in the suit, it will help the Court for its just decision on the merit. Rather it would not cause any prejudice to the defendants. Hence, it is prayed by this application to add them as defendants.
3. This application is supported by learned advocate of LR's of deceased applicant Gangubai Kalgonda Murchute filed below Exh. 127 contending that, contents of application are true. Further, Reg. Civil Appeal No. 330/2015 is filed against that Judgment wherein deceased Gangubai was party. Accordingly, argued to allowed the application.
4. Perused the record. Heard learned advocate of both the parties.
5. The application is supported with affidavit. Considering, provision of Order 1 Rule 10 Sub Rule 2 of C.P.C., Court may add parties whose presence before Court may be necessary in order to enable the Court effectually and completely to adjudicate upon and settled all the questions involved in the suit. Thus, in view of nature of

suit and above referred proviso of C.P.C. with the nature of relation of proposed defendants, this application is allowed in the interest of justice. The plaintiffs are directed to add proposed third party as defendant no. 7(A) to 7(C) in the suit and shall submit amended plaint on or before next date. After submitting amended plaint summons be issued to proposed third party as defendant no. 7(A) to 7(C). No order as to costs.

Kagal  
Date:- 02/12/2024

(B.D.Gore)  
Civil Judge Junior Division,  
Kagal.