



Jaywantrao Nimbalkar etc. Vs. Nanaso Nimbalkar etc.

CNR - MHKO130006382015

ORDER BELOW EXH. 37 IN R.C.S.No. 140/2015

1. This application is filed by defendant no. 7 to 9, 10(A) to 10(D), 11, 12 and 18. By this application it is submitted that, plaintiff no. 1 to 4 behind back of this defendants compromised the appeal pending before Additional Collector, Kolhapur and now, the plaintiff is in hurry to withdraw this suit. According to defendants, their rights and interest are deeply involved in this suit. Therefore, vide Order 23 Rule 1(a) of CPC they prayed to array them in the column of plaintiff to protect their interest. Parties in this suit failed to file their say to this application. Even after, issuance of notice vide Exh. 72 to 75, the plaintiff is failed to appeared in this matter as well as to file their say to this application.

2. Now, considering reasons in the application and contents of affidavits along with right and interest of these defendants, it is just and proper to allow this defendants to proceed with the plaint being plaintiff. Thus, this court is of the opinion that, reasons in the application are well founded to permit these defendants to proceed with the suit being plaintiff. Defendant no. 7 to 9, 10(A) to 10(D), 11, 12 and 18 are permitted to proceed with the suit being plaintiff. The defendants are directed to carried out necessary amendment in the plaint as prayed. No order as to costs.

Kagal
Date:- 16/01/2023

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