



ORDER BELOW EXH. 53 IN R. C. S. No.
137/2021

**Sunita Shivaji Dhonukshe etc.02 Vs. Shivaji Ishwar
Dhonukshe etc.05**

CNR - MHKO130007082021

1. The present application is filed by Mrs. Sonabai Mhadu Godase (Sonabai Ishwara Dhonukshe name before marriage) vide Order 1, Rule 10 of Code of Civil Procedure for seeking permission of impleadment as defendant no. 8 in the present suit.
2. Perused the application & say filed by plaintiff & defendants no. 1, 2 & 7.
3. Heard both the sides.
4. On perusal of the record it appears that the present suit is proceeded ex-parte against the defendants no. 3 to 6. Moreover, the suit is filed for partition, separate possession & perpetual injunction. On perusal of the application it appears that, third party applicant is the real sister of defendants no. 1 & 2. Moreover, defendants no 3 & 4 are uncles of third party applicant. Admittedly, present suit is filed by the plaintiff against her husband & co-owner of the suit property. Plaintiff has not denied the fact that the third party applicant is the real sister of defendant no. 1 who is alleged husband of plaintiff no. 1. The present suit is filed for partition & separate possession. Considering all these aspects, & nature of suit & relief claimed, third party applicant is the necessary party for proper adjudication of the suit. Considering all these aspects, the application is deserved to be allowed. Hence, I proceed to pass following order:-

ORDER

1. The application (Exh. No. 53) is allowed.
2. The applicant Sonabai Mhadu Godase be impleaded as

the defendant no. 8 in the present suit.

3. The plaintiff is directed to carry out necessary amendment accordingly.

Kagal.

Date:- 13/12/2024

Sd/-.

(Smt. P. S. Patil)

Jt. Civil Judge Junior Division,
Kagal.