

Order below Exh.24 in Regular Civil Suit No.84/2016.

This is an application moved by plaintiff under Order 1 Rule 10(2) of the Code of Civil Procedure for addition of proposed defendant No.18 to 21 as parties to the suit.

2) Heard learned advocates Shri. R.P. Bandiwadekar for the plaintiff and Shri. S.L. Patil for the defendants. Perused the application and say.

3) The plaintiff contended that during the pendency of the suit, the defendant No.1 to 3 have executed sale deed in respect of suit properties Gat No.294 and 271 in favour of Vaiju Sattu Gawade, Ganapati Sattu Gawade and Jotiba Sattu Patil (Gawade). The defendant No.1 to 3 have also executed another sale deed dated 18/07/2016 in respect of suit property Gat No.212 in favour of Sou. Shital Bhairu Gadade. Hence, said purchasers are necessary parties to the suit. Hence, the application.

5) The perusal of photo copies of sale deeds dated 18/07/2016 vide Exh.22/1 and 22/2 revealed that defendant No.1 to 3 have executed sale deeds in favour of Vaiju, Ganapati, Jotiba Gawade and Sou. Shital Bhairu Gadade. The perusal of copies of these sale deeds also supports to the contention of the plaintiff. Hence, as the plaintiff has filed the suit for the relief of partition and separate possession. Hence, the purchasers are the proper parties to the suit. Therefore, in my considered view, without addition of purchasers i.e. proposed defendant No.18 and 21 as parties to the suit, the suit cannot be effectually and completely decided. Hence, I hold that application deserves to be allowed. Hence, I proceed to pass the following order.

O r d e r

- 1) Application is allowed.
- 2) The plaintiff is permitted to add Vaiju Sattu Gawade, Ganapati Sattu Gawade, Jotiba Sattu (Patil) Gawade and Sou. Shital

Bhairu Gadade. as defendant No.18 to 21 in the title clause of the plaint by carrying out necessary amendment in the plaint.

3) Plaintiff is further directed to file copies of amended plaint for service of summons to the defendant No.18 to 21 on or before next date.

4) Failure to comply above order on or before next date, application shall be deemed to be rejected.

Sd/-

(M. D. Thombare)

Civil Judge, Jr. Dn., Chandgad.

Dated:- 10/11/2017.

C E R T I F I C A T E

I affirm that the contents of this P. D. F. file Judgment/Order is same, word to word, as per the original Judgment/Order.

Name of the Stenographer	Shri. V L. Tatkod, L. G. Stenographer.
Name of Court	Shri. M.D. Thombare, Civil Judge, Junior Division and Judicial Magistrate, First Class, Chandgad.
Date of Dictation	10/11/2017
Judgment/Order signed by the P. O. on	10/11/2017
Judgment/Order uploaded on	10/11/2017