

**ORDER BELOW EXH.64**

By this application under Order 1 Rule 10 of the Code of Civil Procedure, the defendants seek to implead Grampanchayat Nanundre as defendant no.03 in the present suit.

2. The defendants have submitted that the dispute between the plaintiff and defendants is in respect of the extent of the property. The number of the property has been changed by the grampanchayat. Therefore, the dispute has arisen between the plaintiff and defendants. If the grampanchayat is made the party in the present suit, it will assist this Court in determining the dispute between the parties. On these premises, it is submitted that the application may be allowed.

3. The plaintiff has opposed the application vide his reply (Exh.65). He has submitted that the defendants have procured the documents from the grampanchayat. Therefore, there is no need to make grampanchayat a party to the present suit only to verify the documents issued by it. Thus, the application is devoid of any merits and may be rejected.

4. It must be noted that the property of the plaintiff and defendants is abutting each other. The dispute between the parties is regarding the extent of their properties. It is nobody's case that the dispute is in respect of the property belonging the grampanchayat or the

government land. No doubt the plaintiff has made some allegations against the grampanchayat and that the grampanchayat has issued notices to the plaintiff. However, the said notices were issued on the basis of the complaints lodged by the defendants. None of the notices show that the rights of grampanchayat are involved therein. Further, the documents, if any, are required from the grampanchayat, they can be procured, by the parties at the time of the trial. Therefore, the grampanchayat cannot be impleaded in the present suit merely for seeking explanation from it or for procuring documents from it. Therefore, the application is devoid of any merits and needs to be rejected. Accordingly, I pass the following order -

ORDER

Application (Exh.64) is rejected.

Panhala
Date 27.09.2024

(D. S. Parwani)
Civil Judge Junior Division,
Panhala, District Kolhapur.