

MHKO180005022025

**Reg. Civil Suit No.104/2025.**

Ashok Maruti Vaske & Ors.

Versus

Dilip Maruti Vaske & Ors.

Order below exhibit 14.

This is an application filed by the plaintiffs under Order VI Rule 17 of Civil Procedure Code for adding Block Development Officer (BDO), Gram Sevak of Grampanchayat Nrusinhwadi as a party to the suit.

02. It is the contention of plaintiffs that, they have filed this suit for partition, declaration and injunction against defendants. Defendants have threatened to BDO and Gram Sevak for changing the Assessment Extract of suit property. Therefore, BDO and Gram Sevak threatened to plaintiff No.1A who is old age widow. It is also contention of plaintiff that if the BDO passes any order regarding assessment of suit property under the pressure from the defendant plaintiff will suffer irreparable loss and complication will arise in suit. Hence, they prayed for adding them as necessary party to plaint and temporary injunction application below Exh.5.

03. Defenants have filed pursis Exh.20 and resisted the application. They submitted that, managing entries of assessment extract are conducted according to Gram Panchayat Rules. Court cannot intervene in its business. Revenue records are managed through government administration, whereas court procedure is totally different system. It is unbelievable that plaintiff is a old aged widow when she purchased a property of lakhs of rupees and runs a hotel by constructing a four storied building over that land. By filing such applications

plaintiffs are preparing false record in their favour. Proposed parties are not necessary parties they are not related to the suit anyway. Hence, defendants prayed to reject the application.

04. Perused the application and Say. Heard both sides. Perused the record, written notes of arguments.

05. Order VI Rule 17 of Civil Procedure Code provides for amendment of pleadings which runs as under :

17. Amendment of pleadings.—The Court may at any stage of the proceedings allow either party to alter or amend his pleadings in such manner and on such terms as may be just, and all such amendments shall be made as may be necessary for the purpose of determining the real questions in controversy between the parties.

06. It is well settled principle that parties to alter or amend the pleadings which shall be necessary for the purpose of determining the real question in controversy between the parties. However, from the application itself appears that plaintiff does not intend to add or amend any pleadings but wants to add party to the suit. There is specific provision under Order I Rule 10 of CPC for addition or deletion of parties to the suit. Thus, this application being filed under the provisions of Order VI Rule 17 is liable to be rejected as the contents of application are beyond the provision. Accordingly, I pass following order :-

ORDER

Application Exh.14 stands rejected

Place : Kolhapur.
Date : 03/07/2026.

(V. R. Mane)
Jt. Civil Judge Jr. Dn., Kurundwad.