


<p><u>MHKO190002302020</u></p> 	<p><u>ORDER BELOW EXH. 17 IN</u> <u>R.C.S. No.54/2020</u> <u>(Appaso Balvant Shinde etc. 2 Vs.</u> <u>Baban Shripati Kotmire etc. 2)</u> <u>Date : 16/03/2026</u></p>
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The plaintiff has filed the present application under Order I Rule 10 of Code of Civil Procedure (in-short CPC) to implead third party as defendant in the present suit.

2. Ld. Advocate for the plaintiff submitted that defendants by filing their written statement have objected non-joinder of Devraj Kotmire as defendant. Plaintiff contended that according to defendants, Devraj Kotmire has right title and interest in the southern portion of plot No.72. Therefore, he is necessary party. Hence, he prayed to allow the application.

3. Defendants, vide their say on the overleaf of the application, submitted that the plaintiff is purposefully causing delay in the proceedings. Devraj Kotmire must have been impleaded at the time of institution itself. The present application is filed after 5 years. Hence, prayed for rejection.

4. Perused the record. Heard Ld. Advocate for the plaintiff and the defendants. Considered the submissions.

5. The suit pertains to permanent injunction. Perusal of plaint reveals that the relief claimed is in respect of plot No.73. According to plaintiff's pleadings plot No. 72 is adjacent to plot No.73. As per plaintiffs, defendants in plot No.72 are making encroachment over plaintiffs area. Therefore, in this backdrop considering the contention

that Devraj Kotmire, now being in interest of plot No.72, becomes a necessary party. Thus, the application (Exh.17) deserves to be allowed. Hence, the following order :

**ORDER**

1.	The application (Exh.17) is allowed.
2.	Devraj Baban Kotmire be impleaded as defendant No.3
3.	The plaintiff is directed to make necessary amendments in the plaint and file amended copy of plaint on or before next date.

Radhanagari

Date : 16/03/2026

Sd/-

**(N. P. Kakade)**

Jt Civil Judge Junior Division,

Radhanagari.

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