

MHLA050008382016



R.C.S. No. 76/2016

Nazir Vs. Afzal

:: ORDER BELOW EXH.143 ::

01. The plaintiff has filed the application under Order VI Rule 17 of the C.P.C. with a contention that, the suit initially was decided and in an appeal filed against the decree, it was remanded. During pendency of the appeal, defendant sold the suit property. The plaintiff brought the new purchaser in the suit as defendants. One of the new defendant by name Baliram sold the suit property to Nanda and Pritam. So, also the sale deed shows that, Baliram and Ganpati sold the suit property to Nanda and Pritam. So, it is prayed that, the new purchasers may be added in the suit as a necessary party.

02. Say is filed by the defendant that, the application is false. The plaintiff was knowing that the suit property was alienated in favour of defendant No.10, yet he did not amend the suit. The amendment will change the nature of the suit. Hence, the application may be rejected.

03. Heard Ld. Advocates for the parties.

04. The plaintiff initially had filed application below Exh.102 to add as many as four defendants. One of them was Baliram. That application was allowed on 02/01/2025. Again Baliram sold the property to Nanda and Pritam. The sale deed of Nanda and Pritam is filed below Exh.146/1. So, the application is allowed to have the opportunity to the plaintiff as well as to the new purchasers. The plaintiff to carry out the amendment today and submit the amended copy of the plaint.

Sd/-

{ S.N.Sarde }

Civil Judge Senior Division,
A h m e d p u r.

Date : 04/02/2026.