

MHLA120022392025



R.C.S. NO.356/2025
Abhay Vs. Gorakh

ORDER BELOW EXH.20

In the suit for perpetual injunction, the plaintiff is seeking permission to amend the plaint. By this application he submitted that he filed suit for perpetual injunction. Defendant no.7 is officer of grampanchayat and defendant no.8 is Block Development Officer. They are nominally included in the suit because they failed to take necessary entries in their register. Plaintiff is not interested to proceed with the suit against defendant no.7 & 8. The notice required as per grampanchayat act not given to them. No nature of suit will be changed by this amendment. Hence, he want to delete them.

2] The defendant no. 7 & 8 filed their say behind the same application. They submitted that the application may be allowed.

3] Heard the learned advocate of plaintiff and defendant no.7 &8 at length.

4] Perused the plaint and written statement of defendants. The present suit is filed for perpetual injunction in respect of the suit property. The defendant no.7 is officer of gram panchayat and defendant no.8 is Block

Development Officer. The pleading in the plaint discloses that the defendant no.7 & 8 failed to take entry in their register after death of father of plaintiff. They filed written application and oral request, but the defendant no.7 & 8 failed to take the said entry. Hence, they are added as a defendant in this suit. Except that, no allegations are against defendant no.7 & 8. The pleading discloses that the suit is only against defendant no.1 to 6. Injunction is granted against defendant no.1 to 6. Defendant no.7 & 8 are neither necessary parties nor proper parties. By this amendment nature of the suit property as well as relief is not changed. No prejudice will be caused to the defendants. The said amendment is necessary for just decision of suit on merit.

5] The proposed amendment is claimed by the plaintiff before the commencement of trial. Considering all these facts, it will be proper to allow this application. Hence, the order-

:ORDER:

The application Exh.20 is allowed.

2] Plaintiff to carry out the amendment by deleting defendant no.7 & 8 within 14 days.

Date : 22.01.2026.	(Smt. A. S. Gunjawate.)
Place : Nilanga.	Jt. Civil Judge, Jr. Divi., Nilanga.
	District Latur.