

:: Order below Exh.50/2 in Reg. Civil Suit No.74/2018 ::
(Vaijanath..Vs..Chandar & Ors.)

Perused the application and say. Heard both sides.

02. Application for amendment in the plaint is filed by the plaintiff under Order 6 Rule 17 r/w Order 1 Rule 10 of C.P.C. contending that, suit is for partition. Inadvertently, Gajarabai Pralhad Bobade, Age : 80 years, Laxmibai Dadarao Konale Age: 70 years, Nilabai Yadavrao Chandiwale, Age : 68 years, Lalitabai Bhagwanrao Patil, Age : 57 years are real sisters of plaintiff and defendants. They are not made party to the suit. They being sisters of plaintiff and defendnats, are necessary parties and need to be impleaded in the suit as defendants and necessary amendment needs to be carried out.

03. Defendants objected contending that, application is false. Objection is raised in Written Statement at Exh. 37. Interim Injunction application of the plaintiff has been rejected. Appeal against the said order is also rejected. Present application is filed to prolong the matter.

04. Perused Exh.01, suit is for partition and separate possession. Application is supported by affidavit. Relationship stated on affidavit shows that, sisters mentioned in the application are necessary parties. Effective decree can not be passed without their presence in the suit and therefore, They need to be added in the suit. Necessary amendment as prayed needs to be allowed. Hence, I pass following order.:

:: O r d e r ::

- 1) Application at Exh.50/2 is allowed subject to cost of Rs. 1000/- (One Thousand Rupees) to be paid to other side.
- 2) Gajarabai Pralhad Bobade, Age : 80 years, Laxmibai Dadarao Konale Age: 70 years, Nilabai Yadavrao Chandiwale, Age : 68 years, Lalitabai Bhagwanrao Patil, Age : 57 years be impleaded as defendant Nos.7 to 10 respectively.

- 3) Consequential amendment be carried out by plaintiff within 14 days.

Sd/-

(Atish Pralhad Khollam)
Civil Judge, Jr. Division,
Deoni, Dist. Latur.

Place: Deoni
Date : 04/01/2024.

CERTIFICATE

I affirm that the contents of this PDF file Order / judgment are same, word to word, as per the original order / judgment.

Name of Stenographer : S.Y.Chaus (Jr.Clerk)
Name of the Court : Shri. A.P. Khollam, C.J.J.D.,
Deoni, Dist. Latur.
Date of Order / judgment : 04/01/2024.
Order signed by
Presiding officer on : 04/01/2024.
Order / judgment uploaded on : 04/01/2024.

I affirm that the contents of the P.D.F. file order are same, word to word, as per the original order.

Name of the Stenographer	M.Y. Wadiwale.
Name of the Court	Shri.A. P. Kholam , Civil Judge Jr. Division, Deoni.
Date of Dictation	01/08/2022
Order signed by the P.O. on	01/08/2022
Order uploaded on	01/08/2022