

Spl. Civil Suit No. 48/2024
Raju Vs. Raju

ORDER BELOW EXH. 47

(Passed on this 18th of November, 2025)

Read the application, say and record. Heard Ld. Advocate Shri Zade for plaintiffs and Shri Mandavkar for proposed defendant Nos. 17 and 18. Plaintiffs have filed this application requesting to implead proposed defendant Nos. 17,18,19 and 20. However, today plaintiffs have not pressed this application to the extent of proposed defendant No. 20. Thus, this application is considered to the extent of proposed defendant Nos. 17 to 19. Defendant No. 19 has not appeared, though notice of this application for him was published in newspaper Bhaskar of date 11-07-2015. Proposed defendant Nos. 17 and 18 have opposed the application. Question is whether the proposed defendant Nos. 17 to 19 are required to be impleaded as parties. It is submitted in the application that this proposed defendant Nos. 17 to 19 have purchased portion of the suit property during the pendency of the suit. It is submitted on behalf of proposed defendant Nos. 17 and 18 that they have purchased the property without the knowledge of this proceeding and as such they are *bona fide* purchasers. Thus, it appears that proposed defendant Nos. 17 to 19 have purchased the suit property during the pendency of this suit. The main prayer in the suit is that though there is no partition, yet some of the defendants have executed registered sale-deed. These registered sale-deeds are challenged in the suit. Plaintiffs are claiming right of pre-emption. Considering such nature of the suit, it appears that proposed defendant Nos. 17 to 19 are the necessary parties. Therefore, I pass following order.

ORDER

1. Plaintiffs are permitted to implead proposed defendant Nos. 17 to 19 as party defendants.
2. Application is accordingly allowed.

Umred.
Dated: 18 /11/2025.

[S. G. Landge]
Civil Judge Sr. Dn., Umred,
Dist. Nagpur.

Certificate

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

Name of Stenographer : Mrs. D.T. Vighne
Stenographer (Grade II)