

MJC No. 34/2020
Arif Vs. Pushpa.

ORDER BELOW EXH. 15
(Passed on this 8th of April 2025)

Applicant Arif is the plaintiff in SCS No. 109/2017. Respondent Pushpa is defendant No. 1 in it. Applicant submits that in that suit for specific performance of contract, respondent has given undertaking vide Exh. 33 on 30-10-2013 mentioning therein that till the decision of Exh. 5 defendants will not deal with the suit property or will not do any transaction about it and will not change its nature. However, agreement of sale was entered into by the defendants. Therefore, the main application is filed under Order XXXIX Rule 2-A of CPC. During pendency of the above suit and present matter, respondent, defendant No. 5,6,9 and 11 in that suit and one Smt. Leela Vaidya have illegally and unauthorizedly sold out some portion of the suit property. Applicant wants to bring this subsequent change on record in the form of paragraph No. 9-A of this main application. Therefore, applicant has filed this application under Order VI Rule 17 of CPC. Matter is proceeding exparte against respondent as per the order dated 5-7-2022 below Exh. 1. In view of this and the fact that proposed amendment is relevant, I pass following order.

ORDER

Application is allowed.

Umred.
Dated: 08/04/2025.

[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)