

MHNG130006422013



R.C.S. No. 55/2013

Ratiram Sitaram Ramteke & othrs.

v.

Devakabai Ramteke

ORDER BELOW EXH. 61

(Passed on dated 09/10/2025)

This application filed by plaintiff under order I rule 10 for addition of party read with section 151 of Code of Civil Procedure, (herein after referred as CPC).

2] Plaintiff has filed the present suit for declaration, possession and permanent injunction. Plaintiffs contended that during the pendency of the suit, the defendant no. 5 has executed the registered sale deed in respect of suit property to proposed defendant no. 6 vide 1554/2021 on 28/09/2021. Therefore, proposed defendant no. 6 has become necessary party to the suit. Hence, plaintiff wants to add proposed defendant as defendant no.6.

3] Notice was issued to proposed defendant no. 6 but even after service of notice, he failed to appear in the present suit. Other defendants have not filed say.

4] Heard the Ld. Advocate for the plaintiff. Perused the record. The proposed defendant no. 6 is served with the notice, but she failed to appear and to file say. Plaintiff had filed copy of registered sale deed dated 28/09/2021 executed between defendant no. 5 and proposed defendant no. 6, during the pendency of this suit.

5] Considering the nature of the suit, the proposed defendant no. 6 appears to be necessary party in the suit. Therefore, proposed defendant no. 6 namely Madhuri W/o Suryankant Meshram is required to added as defendant no. 6 in the present for the fair trial. Hence, in the interest of the justice, this application deserves to be allowed. In view of this, I proceed to pass the following order:-

ORDER

1. The application Exh. 61 is allowed.
2. Plaintiff is permitted to add Madhuri W/o Suryankant Meshram as defendant no. 6 in the present suit as prayed in the application.
3. Plaintiff to make necessary amendments within 14 days from the date of this order.

Date: 09/10/2025

Sd/-
(D. C. Vorani)
Joint Civil Judge Junior Division,
Court No. 2, Ramtek.