

COMMON ORDER BELOW EXH.13 & 15
IN R.C.S.No.108/2021.
(CNR-MHNS160012682021)

1. These applications have been on behalf of plaintiff regarding amendment and impleadment of the party. As per version of plaintiff, plaintiff is seeking amendment regarding the subsequent purchase of suit property by third person and plaintiff wants to implead him in the suit as defendant. It is contended that, proposed defendant namely Uttam Namdeo Zalte is subsequent purchaser in the suit property and the sale-deed of suit property has been executed on 22.11.2021. Therefore, plaintiff has narrated the story of subsequent purchaser of suit property.

2. Present applications stood without say of defendants as suit stood ex-parte against them.

3. Present suit has been filed for the relief of specific performance of contract and perpetual injunction. It looks that during pendency of this suit share of the suit property seems to be sold by Defendant No.1 to 4 to proposed defendant No.5 and accordingly plaintiff has narrated its story. Considering the fact in the applications, I am of the considered view that, the proposed defendant is proper person in the suit and needs to be implead and proposed amendment is genuine and present suit is required to be amended accordingly. Hence, in the interest of justice, present applications at Exh.13 and 15 are hereby allowed. Plaintiff is permitted to impleade proposed defendant in the suit. Plaintiff is further directed to make necessary amendment in the plaint as prayed and file amended plaint on record.

Date : 22.08.2022.
Place : Chandwad.

(Sunil B. Mane)
Jt. Civil Judge (J.D),
Chandwad.