

ORDER BELOW EXH. 25 IN R.C.S. NO. 146/2020
(Chandrakant Vs. Eknath)

Read the application seeking impleadment in the suit filed by the third applicants, and say filed on it. Heard the learned counsel for both sides. The suit is for partition, separate possession and permanent injunction. The third party applicants claimed to have in possession of the suit lands from their ancestors on the basis of a registered agreement of lease dated 18.05.1967 for 999 years. They produced the said agreement on record along with the revenue entries in their support. They also filed an interim injunction order passed in RCS No.43/2019 in their favour against the plaintiffs with regard to land bearing block No.27/1, and the revenue orders in their favour. The learned counsel for the plaintiffs just denied the case of the third party applicants claiming to have interest in the suit land. The aforesaid documents clearly revealed that, the third party applicants have triable interest in the suit land and the subject matter. They prima facie appeared to be necessary parties to the suit, and the suit cannot be adjudicated without their presence. Hence, the application seeking impleadment of the third parties in the suit, is liable to be allowed. Accordingly, I pass the following order,

ORDER

- 1.**The application is allowed.
- 2.**The plaintiffs are directed to implead the third party applicants in the suit as party defendants by amending the plaint on or before next date.
- 3.**The plaintiffs shall also submit the necessary copies of the amended plaint.

Sd/-xxx

(M. M. Gadiya)

Date :- 17.06.2023.

Civil Judge, Sr. Div., Sinnar.