



Regular Civil Suit No.138/2019

ORDER BELOW EXH.22

Read application and say.

Heard adv.for both the parties.

According to plaintiff, he has filed suit for partition and separate possession of their ancestral Hindu joint family property against the defendants. During the pendency of the suit, the defendant no.1 has alienated the suit property by transfer of property in the name of his sons and accordingly, mutation entries were also effected and therefore, considering the subsequent event, the plaintiff wants to amend the plaint by inserting the names of defendant no.1's son as a party defendant and accordingly, requested to allow the application.

Defendant no.1 to 3 resisted the application whereas the defendant nos.3 to 6 have no objection to allow the application.

In support of application, the plaintiff has filed his affidavit and 7/12 extract of Gat no.56/2. From perusal of 7/12 extract of Gat No.56/2, the names of Ramchandra Nanaji Mahale and Hiranman Nanaji Mahale appears to be mutated in the record of rights of suit property and when the plaintiff has come with a case of partition and separate possession of property Gat No.56/2, certainly, it is the plaintiff, who has to suffer irreparable loss to his suit, if they are not arraigned as a party defendants and hence, considering the subsequent event, the application deserves to be allowed and accordingly, I pass

following order :

ORDER

1. Application is allowed.
2. The plaintiff is permitted to amend the plaint as sought for within stipulated period and to file amended copy.

Date : 3/1/2020

(V.A.Avhad)
Civil Judge J. D., Satana

CERTIFICATE

This is to certify that the contents of PDF order are same to same as per the original Judgment.

Court Name : Civil Judge,J.D.,Satana.

Date of Decision : 3/1/2020

Date of Signature : 3/1/2020

Date of Upload : 4/1/2020