

**Order below Exh.32 in Spl.C.S. No.122/2024**  
**(Jayashri Taskar & Ors. Vs. Aasha Gadakh & Ors.)**

This is an application filed by the plaintiffs for directing defendant No.1 to submit the full address of defendant No.3. It is submitted on behalf of plaintiffs that defendant Nos.2 and 3 are daughters of defendant No.1. Defendant No.3 is not served with the suit summons till today. It is learnt that defendant No.3 is residing at Pune. She occasionally visits defendant No.1. In order to delay the matter defendant No.1 is not allowing to cause appearance of defendant No.3.

2. Defendant No.1 resisted the application by filing say and contended that there is no provision in the C.P.C. to direct defendants to furnish address. Heard both sides. Perused record of the case. The suit is filed for partition and separate possession of the ancestral properties. After institution of suit, summons were served on defendant Nos.1 and 2. On 29.07.2024 they have appeared through advocate. The address of defendant No.3 is mentioned in the plaint is of Nashik district. The summons issued against defendant No.3 on the address of Pune is not returned. Therefore, vide application Exh.26 the plaintiffs applied for service of summons on defendant No.3 at the address of Karwadi, Tal.Kopargaon, Dist.Ahmednagar. On perusal of say and written statement filed by defendant Nos.1 and 2 at Exh.29 it can be gathered that, defendant No.1 has not disputed her relationship with defendant No.3. Admittedly, there is no provision in C.P.C. to direct the defendant to furnish the address. However, the court is vested with ample inherent powers to make necessary orders to meet the

ends of justice. Being mother of defendant No.3, defendant No.1 may be well aware about the address of her daughter. Hence, no prejudice would be caused to defendant No.1 if she is directed to furnish the address of defendant No.3. Hence, I pass the following order,

**ORDER**

1. The application is allowed.
2. Defendant No.1 is directed to furnish full address of defendant No.3 on or before next date.

**Date : 27.08.2024.**

**Sd/-xxx  
(R. S. Kanade)  
Civil Judge S.D., Sinnar.**