

ORDER BELOW EXH. 46 IN SPL.C.S. NO. 283/2023
(Santosh Vs. Punja and Ors.)

Read the application. No say filed on it since long. Heard the learned counsel for both sides. The plaintiff filed this suit for partition, separate possession and incidental reliefs thereto. It is seen that, defendant Nos.5 and 9 alienated 94-R land of suit block No.91 to one Ramnath Pundlik Sangale vide registered sale deed dated 08.01.2018 without the permission of the court during the pendency of the suit. The plaintiff wants to challenge the said alienation being hit by lis pendense, illegal, and not binding upon him. The plaintiff sought to raise necessary pleas while challenging the said alienation with addition of the said alinee. The proposed amendment is consequent upon pendente lite transfer being not binding upon the plaintiff. It is liable to be allowed being essential or just decision of the suit. In view this, the proposed amendment is liable to be allowed, and it be carried out in the plaint on or before next date with submission of necessary copies of the plaint.

Date :- 04.07.2023.

Sd/-xxx
(M. M. Gadiya)
Civil Judge, Sr. Div., Sinnar.