

Special Civil Suit No. 14 of 2025

(Old Spl. C.S. No. 285 of 2020)

Shri. Dipak Balkawade,

Vs.

Shri. Bhagwan Gaule,

MHNS290000892025



Order below Exh. 86

1) This is an application filed by the plaintiff for deletion the names of defendant nos. 1 to 5 under Order 1 Rule 10 of the Code of Civil Procedure, 1908 (in short 'CPC') and accordingly amendment as per Order VI Rule 17 of the Code of Civil Procedure Code, 1908.

2) It is prayed by the plaintiff that, during the pendency of this suit, defendant nos. 1 to 5 have executed sale deed on 18.12.2024 in respect of Gat No. 311 in favour of defendant nos. 6 and 7 and thereafter, defendant nos. 6 and 7 executed sale deed on 22-10-2024 of Gat No. 311 admeasuring 1 H 49-50 R in favour of defendant no. 8 and on that day, defendant no. 6 and 7 have executed sale deed in respect of Gat No. 311 admeasuring 1 H 49.50 R in favour of defendant no. 9 and the names of defendant nos. 1 to 5 have been deleted from 7/12 extract in the revenue record. Hence, the defendant nos. 1 to 5 have no right, title or interest of Gat No. 311. Hence, the plaintiff prayed for deletion of the names of defendant nos. 1 to 5 of the title clause in the plaint.

3) Defendants have filed their say overleaf of the application and they have prayed for appropriate order.

4) Heard learned Advocate for the plaintiff. Perused the application and the affidavit filed in support thereof, as well as the say filed by the other defendants.

5) It appears from the application that no cause of action now survives against Defendant Nos. 1 to 5. In such circumstances, it would be just and proper to delete their names from the array of defendants. No useful purpose would be served by continuing the suit against Defendant Nos. 1 to 5. Hence, the following order:

ORDER

1. The application is allowed.
2. Defendant Nos. 1 to 5 are hereby deleted from the array of defendants in the plaint.
3. The plaintiff is permitted to carry out the necessary amendment accordingly within the prescribed time.

Date : 16.04.2026

Place : Igatpuri.

(Yashshree Marulkar)
**Civil Judge, Senior Division,
Igatpuri.**

CERTIFICATE

I affirm that the contents of this P.D.F. file Order are same, word to word, as per the original Order.

Name of Stenographer : N. S. Sabale,

Court : Civil Judge, Sr. Division, Igatpuri,

Date of Judgment/ order : 16.04.2026

Order Signed by the
Presiding Officer On : 16.04.2026

Order Uploaded on :16.04.2026