

RCS No.96 /2023
Navin and Ors. Vs. Nani and Ors.

ORDER BELOW EXH.25
(CNR NO. MHPU09-002303-2023)

Plaintiffs have filed an application to withdraw the suit against defendant No.4 to 6.

2. It is contended by plaintiff that they have filed suit for partition, separate possession and injunction against defendant No.1 to 6. At the time of institution defendant No.4 to 6 were not available for signature over the plaint. Therefore, they have made them as defendant. Defendant No.4 to 6 applied for transposition of them as plaintiffs.

3. Perused the application. Heard learned advocate for plaintiffs. Defendant no.4 to 6 appeared in the suit. They have applied for transposition of them to plaintiffs. In such situation, plaintiffs have withdraw the suit against them and thereafter these defendants have applied for transposition. Therefore, considering the nature of the suit and defendant No.4 to 6 having no contrary interest against plaintiffs. Therefore, it is the fit case to grant plaintiffs withdraw the suit against defendant No.4 to 6 with liberty to make them as a plaintiffs. Hence, proceed to pass the following order:-

ORDER

Application is allowed without any cost.

Dated : 17/08/2023

(N.R. Gajbhiye)
Jt. Civil Judge Junior Division,
Pimpri, Pune.

CERTIFICATE

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

Name of the Stenographer	:- P. B. Jadhav
Name of the Court	:- Jt. C.J.J.D. and J.M.F.C. Pune.
Order / Judgment Date	:- 17/08/2023
Order / Judgment signed by the Presiding Officer on	:- 17/08/2023
Order uploaded on	:- 22/08/2023