

ORDER PASSED BELOW EXH. NO.73 IN R.C.S. NO.43/2023**Shailesh Phatak & Ors.****Vs****Sagar Pawar & Ors.**

(Passed on 10/10/2024)

01. The third party persons namely 1) Gorakshnath Krushna Pawar, 2) Mrs. Ranjana Bhimaji Marane and 3) Mrs. Sunita Arjun Bandal have filed the present application to add them as defendant no.13, 14 and 15 respectively in the present suit. It is contended that suit is filed for declaration and injunction for gat no. 45 of the suit property. Plaintiffs have filed present suit against defendants Nos. 1 to 12 for quashing of the settlement decree dated 11/12/2021 regarding the Gat No.45 out of suit properties. The applicants are co-conspirators in all the properties mentioned in the present suit. Since it is necessary to include these applicants as respondents of the present suit, the said applicants have filed this application to be included as respondent nos. 13 to 15.

02. The plaintiffs have filed their say and gave no objection to add these applicants as a defendants in this suit. The defendant No. 1 to 12 are failed to file their say. Hence, application proceed without their say.

03. Heard Ld. Advocate for the applicant. Perused the record. The applicants are co-conspirators in all the properties mentioned in the present suit. The suit is filed for declaration and injunction. The names of the applicants are registered in the 7/12 extract of suit properties. Therefore, presence of applicants is necessary to decide

the suit on merit and to decide the controversy between the parties finally. It is necessary to give opportunity to the applicants to file their say in the suit. Hence, I pass following order-

-: ORDER :-

1. Application Exhibit 73 is allowed.
2. The third party persons namely 1) Gorakshnath Krushna Pawar, 2) Mrs. Ranjana Bhimaji Marane and 3) Mrs. Sunita Arjun Bandal are permitted to add as defendant no.13, 14 and 15 respectively in the present suit. Plaintiff is directed to carry out the proposed amendment within the period of 14 days.
3. The plaintiffs shall also file appropriate amended copy of the plaint.

Pune.
Date : 10-10-2024

[Smt.Meena W. Jadhav]
Jt. Civil Judge, Jr.Div., Bhore

CERTIFICATE

I affirms that the contents of this P. D. F. file order are same word for word as per original order.

Name of the pt :- Hon'ble Smt. Meena W. Jadhav
Court C.J.J.D. & J.M.F.C., Bhore, Pune
Name of the Steno :- M. S. Kondhare L.G.
Date of Order :- 10/10/2024
Signed by P.O. :- 11/10/2024
Order uploaded on :- 11/10/2024