



ORDER BELOW EXH. 28 IN R.C.S. NO. 149/2023

- 01.** Perused the application, say filed. Heard all. Perused the record.
- 02.** Present suit is for simplicitor injunction.
- 03.** As this applicant and plaintiff have admitted that their status as legal legitimate or illegitimate heirs of Late. Prataprao Kondedeshmukh is yet to be decided. Present suit being one 'in personam' and not 'in rem' and not a partition suit.
- 04.** Further Order 1 Rule 8 A gives discretionary power to Court to see if a person is necessary for deciding the matter at hand and if found so and where question of law and public interest is involved there only this provision needs to be considered.
- 05.** Present suit neither with regard question of law nor public interest related. I find no reason to add the applicant to the suit let alone as plaintiff.
- 06.** In addition adding third party as a plaintiff before her rights are recognised by competent Court would not be proper. During pendency of suit if her rights gets recognised then at that stage she is at liberty to make proper application. In this matter blood relations of plaintiff

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and third party legitimate or illegitimate daughter is not a question that needs to be decided. Hence, the application at Exh. 28 needs to be rejected. With this I pass following order.

Order

1. Application at Exh. 28 is rejected.
2. No order as to costs.

Date - 13/06/2024

(N.K.Nagargoje)
Civil Judge, J.D., Bhore,
Dist. Pune

CERTIFICATE

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

Name of the Steno	Smt. S.A.Sonawane
Court Name	Hon'ble Smt. N.K.Nagargoje C.J.J.D.& J.M.F.C.,Bhor, Pune
Date of Order/Judgment	13/06/2024
Date of Sign Order/Judgment	13/06/2024
Order uploaded on	14/06/2024