

ORDER BELOW EXH. 92 IN RCS NO.47/2009

The present application is filed by the plaintiff under Order I rule 10 of the Civil Procedure Code for addition of the party.

2. According to the plaintiff, the suit is filed for partition and possession. During pendency of the suit defendant no 1 have executed the will deed in favor of proposed defendant Shri Tanaji Pralhad Madane. His name is mutated in the revenue record of gat no 261/2 vide mutation entry no 2533. Therefore plaintiff wanted to add him as a party to the suit.

3. Notice was issued to the proposed defendant Tanaji Pralhad Madane. He appeared and has filed his say below Exh. 115. Though he denied the application in first 2 paras but admitted all the contents of the application and prayed to reject the application.

4. Heard both the sides. Perused application, say and documents on record. The interest of the proposed defendant is created in the suit property by way of will deed and his name also seen in the 7/12th extract of the suit property. Therefore to avoid further complications and multiplicity of proceedings this application is need to be allowed. Hence, I proceed to pass following order-

ORDER

1. The application below Exh. 92 is hereby allowed.
2. Plaintiff to carry out the amendment within 7 days from the date of this order.
3. Plaintiff shall file copy of amended plaint on record within 7 days from this order.

Date :18/04/2019

(Shri. P. G. Lambe)

Jt. Civil Judge Jr. Division, Daund

C E R T I F I C A T E

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

Name of the Stenographer :- T.R.Bagwan

Court :- P.G.Lambe

J.t CJJD & JMFC (Court No.2)

Judgment date :- 18/04/2019

Judgment singed by the

Presiding Officer on :- 18/04/2019

Judgment uploaded on :- 26/04/2019