

ORDER BELWO EXH.23.

The plaintiff has filed present application under Order 1 Rule 10 of the Code of Civil Procedure (for short the Code) for addition of new parties namely **Varada Sunil Tatkare** in whose favour the defendant no.1 to 4 & 6 executed registered sale deed bearing No.255/2024 on 25.01.2024 of the suit property no.3 and **Vasant Rajaram Mumbere** to whom the defendant no.4 sold suit property No.2 vide sale deed bearing No.683/2024 on 29.02.2024. Both sale deeds are illegal and need to be cancelled and for that purpose both aforementioned purchasers should be added as party in the suit. Hence the application.

2. The defendant No.4 & 6 opposed to present application by filing their say overleaf the application. They objected to grant present application.

3. Heard learned advocates of respective parties. Perused the record. As per Order 1 Rule 10(2) of the Code, Court is empowered to add name of any person who ought to have been joined, whether as plaintiff or defendant, or whose presence before the court may be necessary in order to enable the court effectually and completely to adjudicate upon and settle all the questions involved in the suit.

4. Suit is filed for partition, declaration of title & perpetual injunction. During pendency of the suit, defendants

sold some suit properties to aforementioned purchasers so that now the plaintiff wants to get cancel sale deeds executed in their favors. Definitely purchasers being interested in result of the suit are necessary parties. Their interests are likely to be affected in the event of the plaintiff succeeded in suit. Without adding them question involved in the suit cannot be effectively adjudicated. Therefore, I am of view that aforementioned both persons are necessary parties and need to be added in the suit as defendant no.7 & 8. Hence, following order would meet ends of justice.

ORDER

1. Application is allowed.
2. The plaintiff is permitted to implead proposed parties as defendant no.7 & 8 in the plaint.
3. The plaintiff is allowed to amend the plaint accordingly.
4. The plaintiff is directed to comply as per order within 14 days from today and produce amended copy forthwith on record.
5. Issue summons to defendant no.7 & 8 after adding them accordingly and for that purpose the plaintiff shall provide duplicate amended copy of plaint.
6. Defendants to note of this order.

Date :- 08.07.2026.
Place :- Roha

(S.V.Khaire)
Civil Judge Junior Division,
Roha