

(1/1)

IN THE COURT OF THE JOINT CIVIL JUDGE (J.D.) MALVAN
(Presided over by S.D.Chavan)

Sunita Madhukar Bhogaonkar - Plaintiff.
Vs.
Vasant Laxman Bhogaonkar - Defendant.

Order below Exh.158 in Regular Civil Suit No.35/2010
(Passed on 17^h July, 2013)

This is an application filed by the third party applicant under Order I Rule 10(2) of the Code of C.P.C.1908. This application is strongly resisted by the plaintiff. None is present for applicant and the defendants. Ld. advocate shri.Girkar made available for submissions. Heard Ld., advocate shri. Girkar for sufficient length and time.

2. Whether the applicant has right, title and interest in the suit property or not is the question to be decided at the time of final hearing. But as the applicant is interested in the present matter opportunity can be given to him. No doubt plaintiff is *dominus litis* and he cannot compelled to fight against the unnecessary parties. But considering nature of suit and considering grievance made by the applicant I am of the judicious and considerate opinion that the application can be allowed for the best interest of justice without prejudice to the rights of the plaintiff. Hence the application is allowed. Plaintiff to carry out the amendment forthwith. No order as to costs.

Malvan.
Date:- 17/07/2013.

(S.D. Chavan)
Jt. Civil Judge (J.D.), Malvan.