



CNR No. MHSI070004282018
Order passed below Exh. No.111
in Civil M.A.No. 80/2018

The present application has been filed by the applicant, Narayan Chandrakant Chodankar, under Order I Rule 10(2) of the Code of Civil Procedure, seeking impleadment in the present suit.

2. It is the contention of the applicant that defendant No. 1 is a Private Limited Company and that by virtue of a resolution passed on 11.05.2022, all rights of Mr. Shailesh lavu Patil as director was revoked. In his place, the present applicant, Narayan Chandrakant Chodankar, was appointed as director and authorised to represent the company and to take all necessary legal steps. Therefore, it is contended that Mr. Shailesh lavu Patil has no concern with defendant No. 1 Company, and his name deserves to be deleted, while the name of Narayan Chandrakant Chodankar ought to be substituted. Hence prayed to allow the application.

3. The application is resisted by the defendant by filing a reply on the overleaf of the application itself. It is contended that the application is false and frivolous. No evidence has been produced to establish revocation of the powers of Shailesh lavu Patil. The application has been filed

after an inordinate delay of about 18 to 20 months. It is therefore prayed that the application be rejected.

4. Perused the record. Heard both sides.

5. Notice was issued to Mr. Shailesh Lavu Patil, but he failed to appear, and hence the matter proceeded ex parte against him. The present application is essentially for substitution of the applicant, Narayan Chandrakant Chodankar, as director of defendant No. 1 Company. Under Order I Rule 10(2) CPC, the Court may, at any stage of proceedings, strike out or add parties where it appears necessary to enable the Court to effectively and completely adjudicate upon the questions involved in the suit.

6. On perusal of the resolution of defendant No. 1 dated 11.05.2022, it appears that Narayan Chandrakant Chodankar has been duly appointed as director with authority to look after the legal proceedings initiated by or against the company and to take all acts, deeds, and steps necessary to give effect to the resolution. In these circumstances, the applicant appears to be a necessary party whose presence is essential for effective adjudication, as he represents the interest of defendant No. 1. The application, therefore, deserves to be allowed. Hence following order,

ORDER

1. The application Exh.111 is allowed.
2. The name of Mr. Shailesh Lavu Patil shall be deleted, and the name of Narayan Chandrakant Chodankar shall be substituted as director representing defendant No. 1 Company.
3. The plaintiff to carry out necessary amendment on or before the next date.

(Pronounced and dictated in open Court.)

Place - Malvan
Date - 23/09/2025

M.K.Fakih
Civil Judge Jr.Dn., Malvan.