

ORDER BELOW APPLICATION VIDE EXH.32

IN Civil M.A. No.161/2019

(Anil Shinde & Anr. Vs. nobody.)

(CNR No.MHSN020020782019)

Perused the contents of the application vide Exh.32 and say thereon. Heard to both sides. Advocate for third parties Shri. A. B. Kheklapure submits that present third parties filed application to implead them as a parties in the original petition. Original petition is for getting letters of administration. The third parties have rights and interest in the subject matter for which original petitioner claimed the alleged relief. He further submits that the third parties are going to produce the revenue record which shows the interest of third parties in the subject matter. Therefore, he prayed to firstly allows him to produce the documents. On the contrary, advocate for the original petitioner submits that the third parties cannot be produced at this stage, the documents which are going to be proved are irrelevant. Therefore, he prayed to reject the production.

2. The third parties are seeking permission to produce 7x12 extracts of land block No.152/3 for the years 1948 to 1955, 1987 to 1997, 1966 to 1973 and 1997 to 2007. The original petitioner objected the application and contended that the alleged documents are irrelevant and cannot be filed at this stage. Hence, they prayed to reject the application.

3. The original petitioner is seeking the letters of administration annexed with Will in respect of land situated in block No.152/3. The third parties are seeking to produce its 7x12 extracts as above said. They are seeking to produce it so as to show their interest in the subject matter of original petition. Mere production of such revenue record is different from proof of facts as to having right, title and interest in the subject matter of the original petition. Facts as to whether third parties are required or necessary parties in order to adjudicate the matter on merits will be decided independently on its own merits. As discussed earlier, third parties are seeking to produce the

alleged documents in order to support their application to implead them as parties. Hence, in the interest of justice, I pass the following order.

ORDER

1. Application vide Exh.32 is allowed.
2. Third parties are permitted to produce the documents.

Sangli.
Date:-10.03.2022

(Ravi V. Pande)
2nd Jt. Civil Judge Senior Division, Sangli.

CERTIFICATE

I affirm that the contents of this PDF file are same as per original.

Name of Stenographer :- R. B. Samalewale

Name of the Court :- Shri. R. V. Pande
2nd Jt. Civil Judge Sr. Dn.,
Sangli.

Date of decision :- 10.03.2022

Order signed by P.O. on :- 10.03.2022

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