

Order below e-application in RCS 202/2024
Prakash Bhimsen Madoli Vs Gundu Venku Vader and Ors
(CNR-MHSN08-001590-2024)

The application is for amendment under Order 1 Rule 10 of the Code of Civil Procedure, 1908 (the C.P.C).

2 Perused the application, and the record.

3 The application to proceed without say of other defendants.

4 Heard.

5 The application is premised on the ground, that the defendant 26 on or about 07/02/2024 executed a sale deed in favor of Vinod Raoso Pawar. The suit has been filed on 12/11/2024. Therefore, the presence of the proposed defendants, is necessary for disposal of the suit. As a matter of fact and record, a copy of the sale deed has been produced on record. Defendant 26, has admitted in his ws para 14, the fact of execution of the sale deed. The presence of the proposed defendants appears to be necessary for the disposal of the suit. No prejudice would be caused, if the application is allowed. To avoid multiplicity of the proceedings, it also necessary to allow the application for the reason that if a separate suit is brought, the same is required to be undergone. Costs follows the event. Hence, following

Order

The application is allowed.

2 Plaintiff to carry out the proposed amendment forthwith, and file on record duly amended copy within 14 days from today.

3 Cost in the cause.

Jath
Date:30/07/2025

(Sanjay P.Bunde)
Jt.C.J.J.D, Jath