

Order Below Exh. 1 IN R.C.S. No.51/2022

(Sunil Ganpatrao Patil V/s. Mukund Abaso Patil)

(CNR NO. MHSN12000389-2022)

I have gone through the record and document. It appears that, Pandurang Patil, Grandfather of plaintiff No. 1 died leaving behind him 2 son namely Ganpati Patil and Abasaheb Patil as well as two daughter namely Krishnabai w/o. Narayan Patil and Harubai W/o Ramchandra Patil. It is also contention of the plaintiffs that two daughters of deceased Pandurang Patil have relinquished their share in the suit property in favour of their brother by way of relinquish deed. But the said relinquish deed is not on record. Therefore, in such circumstances the partition could not be effected without being heard to the two sisters Krishnabai and Harubai of the deceased Ganpati Patil and hence they are necessary party.

2. The plaintiffs are directed to joint Krishnabai w/o. Narayan Patil and Harubai W/o Ramchandra Patil as the defendant No.s 4 and 5 in the plaint. The learned advocate for plaintiffs has filed pursis intimating that Krishnabai w/o. Narayan Patil and Harubai W/o Ramchandra Patil are died. Therefore their legal heirs are necessary be arrayed as defendants.

3. As such as per Order 1 Rule X (2) of CPC plaintiffs are directed to join the necessary party on record by amending the plaint. Hence I proceed to pass following order.

ORDER

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| (1) | As per Order 1 Rule X (2) of CPC plaintiffs are directed to amend the suit by joining legal heirs of Krishnabai and Harubai as defendants if any by necessary amendment be carried out in the plaint within 14 days. |
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(Dictated & pronounced in open court)

**Palus.
Date -01/01/2025**

**(I. A. Y. A. Khan)
Jt.Civil Judge Jr.Dn., Palus**

CERTIFICATE

I affirm that, the contents of this P.D.F. file are same,
word to word, as per the original.

Name of Stenographer	:	Mrs. Jyoti A. Salunkhe Stenographer Grade III
Court	:	Jt. C.J.J.D. & J.M.F.C., Palus
Date	:	01/01/2025
Signed by P. O. on	:	01/01/2025
Uploaded on	:	01/01/2025