

Order below Exh.9 in R.C.S.No.214/2020.
(Balabai Kambale V/s. Grampanchayat Punawat)

Present application has been preferred by the third party namely Krishnaji Kadam under the provision of Order I Rule 10(2) and Order I Rule 3(a). He has stated and submitted that, plaintiff has no concern with the suit property. The name of the plaintiff is not mutated to the suit property. Plaintiff do not have any right in regard with suit property. Grampanchayat i.e. defendant is acting in collusion with the plaintiff. As suit property is not in the name of the plaintiff, present suit is not tenable and therefore same needs to be dismissed. He has further stated and submitted that, the ownership and other rights of the property are with the present applicant. Therefore he has prayed to implead him as the defendant to the present suit.

2. Say of plaintiff was called on present application. She has strongly resisted the said application. She has contended that the present applicant do not have any locus standi to file the present application. It is further contended that, the applicant do not have any concern with the suit property nor he is related to suit property by any means. It is also contended that, the applicant is trying to trouble the plaintiff. Therefore she has prayed to reject the application.

3. Perused the application, say and record. I have heard Ld. advocate for the plaintiff at length. I have also heard the advocate who has preferred this application.

4. Record reflects that present suit has been filed by the plaintiff for declaration and injunction. Record further reflects that injunction and declaration is sought against the Grampanchayat

Punwat. Record further reflects that neither the plaintiff nor the present applicant is related to present suit property. Record also reflects that, the present applicant has filed complaint against the plaintiff. Upon perusal of documents filed by the present applicant it appears that he do not have any locus standi to file present application. Moreover he is not related to the suit property in any manner. The present applicant claiming to be the important party to the present suit. However there is no record to that effect. Therefore the application filed by the present applicant deserves to be rejected. Hence I pass following order.

ORDER

1. Application at Exh. 9 is hereby rejected subject to cost of Rs. 500/- payable to T.L.S.A., Shirala.
2. Both parties shall take note of this order.

Shirala
Date- 01/09/2022.

(Priti A. Shriram)
Civil Judge Jr. Dn. Shirala.

CERTIFICATE

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

Name of the Stenographer	:	V. S. Patil
Court	:	Jt. C.J.J.D. & J.M.F.C., Shirala
Date	:	01/09/2022
Judgment signed by the Presiding Officer on	:	01/09/2022
Judgment uploaded on	:	02/09/2022