

**ORDER BELOW EXH.47**

This is an application filed by the plaintiffs under Order 1 Rule 10 read with Order 6 Rule 17 of the Code of Civil Procedure for adding of Anita Appaso Shinde as defendant No.12. It is averment of the plaintiffs that during the pendency of the suit on 27.02.2023 defendant No.11 sold suit property to the proposed defendant No.12. The plaintiffs for avoiding technicality and adjudication of matter in hand on merits. Prayed for grant of application.

02. Per contra, defendant No.1 filed her say and opposed instant application. The remaining defendants failed to file say on this application.

03. Perused record. Heard ld. Counsel on behalf of plaintiffs and defendants. Instant suit is for permanent injunction. After perusal of the record it reflect that during the pendency of the suit defendant No.11 sold the suit property to the proposed defendant No.12 on 27.02.2023. The proposed defendant No.12 Anita Appaso Shinde, who has purchased the suit property is the necessary party for fair adjudication of matter in hand on merits. Therefore, no prejudice would be caused to other side if instant application will be allowed in view of Order 1 Rule 10 and Order 6 Rule 17 read with 151 of the Code of the Civil Procedure. Hence, I proceed to pass the following order;

**ORDER**

1. Application at Exh.47 is hereby allowed.
2. The plaintiffs shall comply the order within stipulated period.
3. The plaintiffs shall file amended plaint on record and supply copy of amended plaint to other side without fail.

4. The in-charge of C.I.S. shall take note and comply the order in C.I.S.
5. Costs in cause.

Vita.

Date:- 06.02.2024.

(M.Sharique A.U. Rahman)  
Jt.Civil Judge Jr. Dn., Vita  
Tal. Khanapur, Dist-Sangli.

### **CERTIFICATE**

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

Name of Stenographer :- S.V.Gaikwad,  
Name of the Court :- M.S.A.U. Rahman,  
Jt.Civil Judge Jr. Dn., & J.M.F.C.,  
Vita. Tal:-Khanapur.  
Date of decision :- 06.02.2024  
Order signed by P.O. on :- 06.02.2024  
Order uploaded on :- 06.02.2024.