

Order below Exh.96 IN R.CS. No.272/2019

By this application, the plaintiff prays for two reliefs; for deciding an amendment application, and for permitting him to carry out the amendment as allowed as per order below Exh.63.

2. Out of the two reliefs prayed, the relief of passing order on the amendment application at Exh.61 becomes fructuous as the court has passed an order below that application.

3. Defendant No.2 objects to the relief of allowing the plaintiff to carry out the amendment on the ground of delay.

4. Vide the order below Exh.66 plaintiff was directed to be amended for bringing the legal heirs of defendant No.8 on record. This is the suit for partition. Participation of all the family members is essential to effect the partition. Hence, the legal heirs of defendant No.8 are required to be brought on record. However, for the delay caused defendants are required to be compensated by paying costs of Rs.200/- to the plaintiff. Hence, the order.

-: ORDER :-

- A. The application is allowed subject to plaintiff paying costs of Rs.200/- to the defendants.
- B. Amendment to be carried within a period of 7 days from today.
- C. After the amendment, plaintiff to furnish a copy of amended plaint on record.

Date : 07.08.2024.

Swayam S. Chopda.
Jt. C.J.J.D., Pandharpur.

Certificate

- (a) Name of the Stenographer : Rajiv M. Gogi
(b) Court. : Jt. C.J.J.D., Pandharpur
(c) order dictated on : 07.08.2024
(d) signed on : 07.08.2024

