

Order below exhibit 15 in L.A.R. 168/2013

With instant application vide Order 6 Rule 17 of the Civil Procedure Code claimant seeks addition of party by way of amendment.

2. In short according to him, dispute pertains to enhancement of compensation in respect of acquisition of land. However, during course of proceeding he failed to array acquiring body as a party to the dispute. The acquiring body being necessary it is essential to add it as opponent No. 4 by way of amendment. He has filed an affidavit in support of an application.

3. Opponents submit strong opposition for proposed addition of the party. According to the opponents proposed amendment for addition of party is barred by limitation and it is filed at belated stage without any justifiable reason therefore needs to be rejected.

4. Points for determination alongwith the findings and the reasons is as below :-

Points	Findings
1) Whether proposed amendment is essential for final adjudication of the dispute ?	Affirmative.
2) Relief	Application is allowed.

REASONS

AS TO THE POINT NO. 1 :

5. Perused application, an affidavit and say of opponent. Heard Ld. Advocates at length. From record it is clear that the dispute pertains to enhancement of compensation. The claimant is aggrieved by amount of compensation assigned by the Special Land Acquisition Officer. In course of time he raised objection to the award and sought enhancement. The dispute was referred to this court for adjudication. In backdrop of this factual position claimant seeks to add acquiring body as a necessary party. From record it is clear that respondent nos. 1 to 3 acquired land of claimant for the purpose of opponent No. 4 and thus, it becomes essential party. Therefore, addition of party by proposed amendment is necessary for proper and complete adjudication of the claim. Hence, answered point No. 1 in the affirmative.

ORDER

- 1) The application is allowed.
- 2) The Managing Director, Maharashtra Krishna Khore Vikas Mahamandal, Sinchan Bhavan, Pune No. 11 be added as opponent No. 4.
- 3) The claimant to amend his claim accordingly on or before next date.
- 4) Cost in cause.

Date -09/01/2019

S. N. Rokade
Jt. Civil Judge S. D. Barshi.

Certificate

I affirm that, the contents of this PDF file Order/Judgment are same word to word,
as per original Order/Judgment.

Name of Stenographer	:-	M.P.Gheradi
Court	:-	Jt.Civil Court,S.D.,Barshi.
Date:-	:-	09/01/2019
Judgment/Order signed by the Presiding Officer	:-	09/01/2019
Judgment/Order uploaded on	:-	09/01/2019