

R.C.S. No.440/2012
Ajit & Ors. Vs. Amrut & Ors.
CNR No.MHSO170019402012

ORDER BELOW EXH.63

This is an application filed by plaintiffs under Order 1 Rule 10 r/w Order VI Rule 17 of Code of Civil Procedure for amendment in the plaint.

2. It is the contention of plaintiffs that, they have instituted present suit for partition, declaration and permanent injunction. The matter is pending for cross-examination. During the pendency of the suit, on 29/06/2019, the defendant No.1 has sold suit property to third party. Therefore, purchasers are acquired interest in the suit property and became necessary party. Therefore, it would be just and proper to implead them as defendant No.4 to 6 in the present suit. Hence, they prayed to implead them as defendant No.4 to 6 in the present suit.

3. The defendant No.1 objected the application and prayed to impose costs of Rs.1,000/-, if allowed.

4. Perused the application and say. Heard both sides. Perused the record. Record shows that, plaintiffs have instituted present suit for partition, declaration and permanent injunction. It is the contention of the plaintiffs that, on 29/06/2019, the defendant No.1 has sold suit property to third party. Therefore, purchasers are acquired interest in the suit property and became necessary party. Hence, it would be just and proper to implead them as defendant No.4 to 6. Accordingly, I pass following order.

ORDER

1.	The application is allowed.
2.	Plaintiffs are permitted to implead proposed defendants as defendant No.4 to 6 and file amended plaint on record within 14 days.
3.	Fresh suit summons be issued to proposed defendant No.4 to6 in view of order V Rule I of the C.P.C.

Date - 05/04/2025

(**V. C. Kshirsagar**)
3rd Jt. C. J. J. D., Madha

CERTIFICATE

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

Name of Stenographer	:	N. B. Kamurti
Court Name	:	Smt. V.C. Kshirsagar 3 rd Jt.CJJD & JMFC, Madha
Date of Order/Judgment	:	05/04/2025
Order/judgment signed by presiding officer on	:	05/04/2025
Order/judgment uploaded on	:	07/04/2025