



ORDER BELOW EXH.21

This is an application on behalf of the plaintiffs for amendment of the plaint.

02] It is their contention that they have filed instant suit for fixation of boundaries in respect of land situated at village Kurdu in Gat No. 791/2. The suit is yet to be finalized. However, during pendency of the suit, defendant No. 2 has created third party interest in the suit property in favour of proposed defendant No. 4. Hence, the plaintiffs want to bring the said subsequent development on record.

03] The defendant Nos. 1 and 3(C) opposed the application on the ground that the application is false and plaintiffs did not produce sale deed of transaction. Hence, prayed for rejection of the application.

04] Heard both sides. Perused the record.

05] Record goes to show that the plaintiffs had instituted instant suit for fixation of boundaries in respect of aforesaid. The suit is pending for adjudication. According to the plaintiffs, during pendency of the lis, the defendant No. 2 has created third party interest in the suit property in favour of proposed defendant No. 4.

06] On perusal of 7/12 extract of the suit property, the name of proposed defendant Mahavir Sakharam Bagal is reflected. It seems that the defendants have made certain substantial developments pertaining to the suit land during pendency of the lis. The said subsequent development has direct bearing upon the merit of the suit.

The said development is necessary so as to finally resolve the controversy between the parties. It is also helpful to the court to finally adjudicate the lis. Hence, the amendment is necessary for the purpose of determining real question in controversy between the parties. Hence, order.

ORDER

| | |
|----|---|
| 1. | The application is allowed. |
| 2. | The plaintiffs are permitted to carryout the amendment within 14 day's. |
| 3. | After the amendment, fresh suit summons be issued to the newly added defendant. |

Dated :- 29/11/2025
Place :- Madha.

(Pratik G. Lambe)
Jt. Civil Judge (J.D), Madha,
Dist-Solapur.