

Order Below Exh. 38

Present application has been moved by third party for addition of parties as respondents contending therein that, applicants husband namely Somnath Nivrutti Gurav has died and who was the member of joint hindu family. In short according to the third party present Mahadeo Nivrutti Gurav and Sachin Nivrutti Gurav are also necessary party as their rights have also been involved in respect of which heirship has been claimed.

02. Here, neither applicant nor respondent present before the Court when called, their advocates are also absent and so taken for order. Here, it appears that, heirship has been claimed concerning to the plot no.31 and according to the present third party their rights also have been involved. Whatever may be the merits of the party, but an opportunity needs to be given to the present third party to contest the matter on merit. So, in my opinion they are proper parties considering the dispute. Hence, the following order.

ORDER

- 1) Application is allowed.
- 2) Present third parties be added as a respondents to the main petition.
- 3) Applicant to carryout amendment accordingly and file amended copy of the petition within 14 days.

Karad.
Date :- 26/10/2021.

(Y.H.S. Deshmukh)
Jt. Civil Judge Senior Division,
Karad.