

Dattatray Balaso Bagal and Ors.

V/s.

Nadatai Jivan Mohite and Ors.

Order Below Exh.17 in R.C.S.No.78/2024

[Delivered on: 04/08/2026]

The def.Nos. 1 to 9, 13 to 15 have filed the present application with the prayer belief them from the suit.

02. It is contended that the suit is for permanent injunction. These defendants are arrayed in the suit as defendants as formal parties and the plaintiff had no grievance against them. The plaintiff has also claimed relief against only def.Nos.10 to 12. Hence, it is prayed that the def.Nos.1 to 9 and 13 to 15 be deleted. Accordingly, the application be allowed.

03. The plaintiff objected the application contending that the names of these defendants are entered in revenue record, they are the purchasers of the suit property. Hence, these defendants are necessary for final adjudication. Hence, it is prayed that application be rejected.

04. Perused the application and say. Heard Ld.Adv.for defendants and plaintiff.

05. It can be seen that the plaintiff has filed the present suit for permanent injunction against all the defendants on the basis of the possession. The prayer clause of the plaint reflects that the final prayer has been made in the respect of the def.Nos.10 to 12. No specific prayer against the def.Nos.1 to 9 and 13 to 15. However, at this juncture it is necessary to mention that the present application

is not accompanied by any affidavit. So also, considering that the plaintiff is dominus litis, it would be appropriate to pass necessary order in respect of def.Nos.1 to 9 and 13 to 15 at the time of final judgment. Considering the same, the present application is liable to be rejected. Hence, I proceed to pass the following;

-: Order :-

Application is rejected.

Date :- 04/08/2026

Place : Karad

(Shri. Y.P. Bavkar)
5th Jt. Civil Judge Junior Division,
Karad, Dist.Satara.