

Raju Vasant Thorawade --- Plaintiff.
Vs.
Sanjay Vasant Thorawade & Ors. --- Defendant.

4. On the other hand, the plaintiff has contended that the sale deed is hit by the principle of *lis pendens*. The sale deed executed by the predecessor of the third person, viz., Maruti Nagesh Ghorpade, is illegal and void. The suit property originally belongs to Ghalsasi. The plaintiff's father was a tenant since the year 1950, and therefore, he had no right to sell the property. However, a bogus and hollow sale deed has been executed, which does not confer any right upon the third person. Hence, the application deserves to be rejected.

5. Perused the record. The suit is filed for relief of partition and perpetual injunction against the defendants in respect of the suit property, Survey No. 311 of Karad, Tal. Karad, Dist. Satara. The third person has filed on record a copy of the sale deed, which reflects that he has acquired rights in the said property by virtue of the sale deed dated 20/03/2025.

6. As per Order I Rule 10(2) of the Code of Civil Procedure: *The Court may, at any stage of the proceedings, either upon or without the application of either party, and on such terms as may appear to the Court to be just, order that the name of any party who ought to have been joined be added.*

7. The presence of the third person appears to be necessary for the effective and complete adjudication of the issues involved.

8. In view of the above discussion and for the reasons stated, I am of the considered opinion that the third person is a proper party to the present proceedings. Accordingly, the application deserves to be allowed.

ORDER

1. The application is allowed.
2. The third person, i.e., Tanaji Laxman Patil, is added as Defendant No. 12.
3. The plaintiff shall carry out the necessary amendments and file the amended plaint on record.

4. The plaintiff shall provide copies of the amended plaint for service upon all defendants.
5. The third person, i.e., Defendant No. 12, shall file a written statement on record.

Place :- Karad.

Date :- 19/09/2025.

(Smt. A.V. Mohite)
3rd Jt. Civil Judge (Jr. Div.), Karad.
Tal. Karad, Dist. Satara.