

	<u>ORDER BELOW EXH.17 IN L.A.C. No.61/2019</u> (CNR No. MHWS02001351-2019) Sub-Divisional Officer and Land Acquisition Officer Vs. Nandkumar Awachar & Ors.
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The applicant Nos.1 and 2 have filed this application under Order 1 Rule 10 of Code of Civil Procedure for addition of them as a party to the present proceeding. As per the applicants the present matter is pending in respect of acquired land Gat Nos.401 and 402. The said lands were originally joint Hindu family properties. Father of the present applicants and the father of non-applicant partitioned the said property and they are holding their respective shares. It is also submitted that the present applicants have raised objection before the L.A.O. Therefore, the L.A.O. has referred this dispute to the Court. As per the applicants another matter bearing L.A.C. No.85/2019 is also pending before this Court. The presence of applicants in this case is necessary for effective resolution of dispute. Therefore, the applicants prayed to add them as a party to the present proceeding.

2] Non-applicant Nos.1 and 2 have filed their say at Exh.20 and strongly opposed the application. It is submitted that this non-applicants are own and posses field Gat No.401 and they acquired said field proper by way of succession and the applicants have no concern with the field property of Gat No.401 and therefore the applicant have no right to field Gat No.401 and therefore the application is liable to be rejected.

3] Following points are arise for my determination, same are reproduced below along with my findings thereon -

Sr. No.	Points	Findings
1]	Whether it will be just and proper to add the applicants as party in present proceeding ?	In the Affirmative.
2]	What Order ?	As per the final Order.

REASONS

AS TO POINTS NOS.1 & 2 -

4] Heard both the sides. It appears from the record that the L.A.O. has referred the present reference on 13/08/2019. On perusal of reference it appears that it is mentioned in reference itself that there was dispute in respect of actual possession of acquired land. The applicants submitted that though the acquired land shown as acquired from the non-applicant Nos.1 to 4. However, the land in question was in their actual possession. Therefore, they are necessary parties to the present proceeding. Considering this fact I came to the conclusion that the applicants are necessary parties to the present proceeding. Therefore, it will be just and proper to add them as non-applicant Nos.5 and 6. Hence, I answer point No.1 in the affirmative and in answer to point No.2, I proceed to pass following order -

ORDER

- 1] Application is allowed.
- 2] The applicants are added as non-applicant Nos.5 and 6 in the present proceeding.

- 3] The present applicants are hereby permitted to carry out the amendment in reference within the stipulated period.

Washim.
Date:-11/08/2026.

(**S. S. Sahasrabudhe**)
Civil Judge (Sr. Div.), Washim.

CERTIFICATE

I affirm that the contents of this PDF file judgment/order are same word to word, as per original judgment/order.

- 1) Name of Stenographer :- S. P. Kale (Stenographer G-II)
- 2) Name of Court :- Civil Judge (S.D.), Washim.
- 3) Date :- 11/08/2026
- 4) Order signed by the
presiding officer on :- 11/08/2026
- 5) Order uploaded on :- 11/08/2026