

ORDER BELOW EXHIBIT-70 IN R.C.S. No.85 of 2016

Plaintiff No.3 has filed the present application under Order I Rule 10 read with Section 151 of the Code of Civil Procedure to add parties to the suit.

2. It is asserted by him that defendant No.1 has transferred 2 Are land of the suit property to Sanjay Sadashiv Kalve vide registered sale deed dated 31.03.2018. He has also sold 7 Are land to Akhilesh Umeshchandra Ladda vide registered sale deed dated 25.06.2018. Akhilesh Ladda has agreed to sell the said land to Vandana Bhagwan Wankhede vide registered document dated 09.03.2019. It is therefore necessary to add the above said persons as defendants to avoid complication and multiplicity of proceedings. Hence, the application.

3. Learned advocate appearing for defendant No.1 has filed the say and opposed the application. According to him, defendant No.1 is not in his contact. He is therefore not having any information in respect of the sale transactions. He has requested to issue notice to the proposed defendants.

4. By an order dated 16.09.2019, notices were issued to proposed defendant. Notices (79 to 81) have been served upon them. Proposed defendant Sanjay Kalve and to Vandana Wankhede have through their respective advocates and solicited time to submit the say time was accordingly granted. Even after a period of 22 Months from the date of appearance, they have failed to submit the say. Hence, the application to proceed without say against them.

5. It is relevant to note here that plaintiff No.3 has not only mentioned the respective dates of the sale transactions but also given the registration numbers thereof. Thus, all the details have been given in the application . Defendant No.1 and proposed defendant Nos.3 & 4 have not specifically denied the contents of the application.

6. Considered thus, application for addition of parties is not without merit. Addition of subsequent purchasers is necessary for the just decision of the suit. It is also necessary to avoid multiplicity of litigation.

7. In view of the facts noted above, application is allowed. Plaintiff is permitted to add the persons named in the application as defendants. Consequently, they are directed to amend the plaint. They shall amend the plaint within two weeks and to submit a clean copy of the plaint.

Sd/-

(S.K.Khan)

3rd Jt. Civil Judge (S.D.),
Washim.

Date : 17.08.2021.

“CERTIFICATE”

I affirm that the contents of this P.D.F. file Order are same word to word as per original Order.

Name of Stenographer	:	Shivam B. Patange (L.G.)
Court & Judge Name	:	<u>S.K.Khan,</u> 3 rd Jt. Civil Judge (S.D.) Washim.
Date of Order	:	17.08.2021.
Order signed by the Presiding Officer on	:	17.08.2021.
Order uploaded on	:	17.08.2021.