

**ORDER BELOW EXHIBIT NO.58**

This is an application filed by the plaintiff under Order I Rule 10 (2) of the Code of Civil Procedure for addition of the parties.

2. It is the contention of the plaintiff that he has mentioned in the plaint above Survey No.28 and 30. But he has not joined the owners of the said Survey Number as a party to the suit. Therefore, it is necessary to add them as defendant No.2 to 4. It is further contended that no prejudice will be caused to the defendants and the nature of the suit will not be change if the application is allowed.

3. The defendant filed his say at Exh.59, contending that the suit itself is barred by the law, therefore, the present application is also not tenable in the eye of law. The owners of survey No.28 and 30 have no concern about the suit. The oweners of Gat No.28 and 30 have allowed the defendant for the use of a way passing through their fields and therefore, the plaintiff wants to implead them as defendant No.2 to 4. Hence, prayed for the rejection of the application.

4. Heard the counsel for the plaintiff Shri. S.M. Wasnik at length.

5. Perused the say of the defendant and the record. From the record, it is seen that there is no prayer against the proposed defendants No.2 to 4. From the pleading of the plaintiff, it is nowhere seen that the proposed defendants are the necessary parties to the suit. The court may adjudicate the issues, pass any effective order or decree in the absence of the proposed defendants. Therefore, I am of the firm view that the application deserves to be rejected. Accordingly, the applcation is hereby rejected.

Date : 10/02/2025.  
Karanja (Lad).

**(Supriya N. Pund)**  
Jt.Civil Judge (Jr.Dn.),  
Karanja (Lad).

**CERTIFICATE**

I affirm that the contents of this P. D. F. File Judgment/Order are same word to word, as per the original Order.

Name of Stenographer	:	D. V. Daware (Stenographer-III)
Court Name	:	Jt. Civil Judge (JD) & JMFC, Karanja.
Date	:	10-02-2025
Order signed by the Presiding Officer on	:	10-02-2025
Order uploaded on	:	10-02-2025