

**ORDER BELOW EXH.6.**

(Passed on 25<sup>th</sup> day of April 2019)

1. Perused the application with record. In view of facts, following points arise for the consideration, which are discussed as under with my findings thereon.

**POINTS.**

**FINDINGS.**

- |   |                     |
|---|---------------------|
| 1. Whether the amendment sought by the appellatant is just and proper ? | In the affirmative. |
| 2. What order ? .. ..   | As per final order. |

**R E A S O N S.**

**As to point No.1. :-**

2. Heard the learned Advocate for the parties. The appeal is against the judgment and decree passed by the Civil Judge, Junior Division, Ralegaon, in R.C.S. No. 9/2013 in respect of perpetual injunction. The original suit was against defendant Grampanchayat, Ralegaon through its Sarpanch and Secretary alongwith other defendants. By the instant application, the appellatant wants to delete defendant Grampanchayat, Ralegaon through its Sarpanch and Secretary and to insert Nagar Panchayat, Ralegaon through its Chief Officer.

3. As per the appellatant, in the light of notification issued

by Mantralaya, Mumbai dated 01<sup>st</sup> March 2014, the existence of Grampanchayat, Ralegaon comes to an end and now it has been taken place by Nagar Panchayat, Ralegaon through its Chief Officer. This fact is supported with notification dated 01<sup>st</sup> March 2014. In such circumstances, when the Grampanchyat is not in existence then it will be just and proper to delete the said authority from the array of defendant/respondent and to implead new authority i.e. Nagar Panchayat, Ralegaon through its Chief Officer as prayed. This is nothing but subsequent avernment due to notification issued by the Government of Maharashtra and hence, whatever amendment sought appears to be just and proper. In the result, I answered point No.1 in the affirmative and proceed to pass following order.

**O R D E R**

1. Application is allowed.
2. The appellant/plaintiff to incorporate the amendment as sought within 14 days by excluding the period of summer vacation.

Yavatmal  
Dated- 25.04.2019.

( S.N. Rajurkar )  
District Judge-2,  
Yavatmal.