

MHKO120003842011



Regular Civil Suit No.98/2011

Sharubai Tukaram Kumbhar

Vs.

Dnyanu Mhadu Kumbhar

Order below Exh.59

Perused the application and say. Heard both sides. The plaintiffs have filed the application under Order 1 Rule 10 and Order 6 Rule 17 of Code of Civil Procedure for amendment of plaint and for deletion of names of defendant No.1(A), 1(B), 1(D), 1(E), 1(EF). According to the plaintiffs, after the death of defendant no.1 his Lrs. on record vide Exh.32 and there is only right of defendant no.1(C) on suit property and also contended that, the other legal representatives of defendant no. 1 have no right to the suit property because they reside out of station and have no connection to it. Therefore, they sought to delete their names. I have gone through the record. The record shows that, the application for bringing Lrs of defendant no.1 was filed on 20/12/2017. Right now the plaintiffs doesn't want to proceed against them. The plaintiffs are master of their own suit. Those parties are not necessary for deciding the controversy. Therefore, no serious prejudice would cause to the defendants by allowing the application. Hence, I pass following order.

ORDER

- 1) The application is hereby allowed.
- 2) Plaintiffs are hereby directed to carry out necessary amendment within 14 days from today and submit amended copy of the plaint.

Date : 28/07/2026

(N. D. Rudrabhate)
Civil Judge Junior Division,
Gargoti