

Order

Read application. Perused the plaint. No stay is filed by the depts. Heard the learned advocate for the plaintiff.

The plaintiff contended that, the Bank of India has sold the property of the dept no.1 in auction to the proposed depts. no. 3 to 8. The deed is for necessary injunction for removal of fencing & possession. The plaintiff has alleged against dept no.1 pertaining to the encroached portion of land, over the dept no. 3 to 8 an assignee of the dept no.1 and they are stepped into shoes of dept no.1. Thus, they are necessary parties to the deed and their presence is necessary for deciding the controversy between the parties. The plaintiff has also sought proposed amendment pursuant to the sale of property in favour of depts no. 3 to 8. Hence, proposed amendment is necessary to be incorporated, considering the proposed amendment which goes vice versa to subjugate exact facts and deny validity of the deed requested to be allowed. Accordingly - 2 orders are passed in the following order.

Order

- 1). Application is allowed.
- 2). The plaintiff shall carry out the proposed amendment within 10 days and submit amended copy.

Shree
1/24/20
21st CSD