



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

Writ Petition (WP) No. 6206 of 2023

Prashant S/o Sawarmalji Agrawal

Versus

M/s Devaki Agro Private Limited, Dist. Wardha and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri K.J.Topale, Advocate for the petitioner.

CORAM : ANIL S. KILOR, J.

DATED : 14th SEPTEMBER, 2023.

Heard.

2. In a suit for specific performance of the contract, for possession and perpetual injunction, the plaintiff filed an application under Order I Rule 10 of the Code of Civil Procedure to add Ramdas Balaramji Ajmire as a party to the suit on the ground that revenue entries relating to the suit property stand in his name. The said application came to be rejected vide impugned order dated 11th April, 2023 passed by 2nd Joint Civil Judge, Senior Division, Wardha in Special Civil Suit No. 167 of 2022.

3. There is nothing to point out how Ramdas Ajmire is necessary or proper party to the suit for

specific performance. Admittedly, there is no transaction entered into between the plaintiff and Ramdas to whom the plaintiff wants to add as party.

4. In that view of the matter as the plaintiff failed to establish and fulfill the pre-requisite of Order 1 Rule 10 of the Code of Civil Procedure, the application rejected by the trial Court needs no interference. Accordingly, the writ petition is dismissed.

[ANIL S. KILOR, J.]