



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

CIVIL APPLICATION (CAS) NO.1014 OF 2025 IN
SECOND APPEAL NO.295 OF 2024

Smt. Surekha W/o Narendra Makde and others .Vs. Murlidhar Chintaman Makde
and others

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

Court's or Judge's Order

Mr. A.R. Sambray, Advocate for applicants.

Mr. N.V. Fulzele, Advocate for non-applicant Nos.1 to 4.

CORAM : ROHIT W. JOSHI, J.
DATE : 13/02/2026

1. This is an application filed under Order 1 Rule 10 of the Code of Civil Procedure, seeking addition of one Mrs. Ranjana W/o Jayendra Barde on record as defendant No.6 and respondent No.6 in the present Second Appeal. The proposed respondent No.6 is daughter of respondent No.1.

2. An objection is raised by the learned Advocate for the respondent Nos.1 to 4 that, at this stage, name of proposed respondent No.6 cannot be added as party, since objection with respect to her non-joinder was raised in the written statement itself. However, the fact that the proposed respondent is daughter of respondent No.1 and sister of respondent Nos.2 to 4 is not disputed.

3. In view of the above, application for addition of party is **allowed**. Necessary amendment be carried out on or before **24.02.2026**.

4. The objection raised by the learned Advocate for the non-applicant Nos. 1 to 4 that the addition will not relate back to the date of institution of the suit, and that the addition is to be considered as on the date of filing of the application, i.e., 23.09.2025, or its registration on 08.10.2025, is kept open to be argued at the stage of admission/final hearing.

5. Issue notice to the respondent No.6 on the substantial question of law framed vide order dated 06.05.2025, returnable on **30.03.2026**.

(ROHIT W. JOSHI, J.)

C.L. Dhakate