

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

***CIVIL APPLICATION NO. 434 OF 2014
IN
FIRST APPEAL NO. OF 1853 OF 2013***

Mrs.Shaku @ Sabita Ram Jagtiani & ors. ... Applicants
v/s

Mr.Allauddin Latif Shaikh & ors. ... Respondents

Mr.Rajesh Patil i/by M/s.Mahesh Jani & Co. for the applicants.

Mr.L.S. Gaikwad for respondent No.1.

Mr.Anand Kumar with Daulat Jahangir for respondent No.2.

CORAM: K.K.TATED, J.

DATED : 21 JANUARY 2015

PC.:

Heard learned counsel for parties.

2 Liberty granted to the applicants to carry out appropriate amendment in cause title of the civil application. Amendment to be carried out during the course of the day.

3 This application is preferred by the applicants/original plaintiffs for joining Mr.Mohanshinge Jaisinghrao Shinge as a party respondent in First Appeal No.1853 of 2013 who is a subsequent purchaser of one of the plots in the suit property.

4 Considering the submissions made by learned counsel for the applicants and averments in the civil application, I am satisfied that the applicants have made out a case for allowing civil application.

5 Civil application allowed in terms of prayer clauses (a) and (b) which read as under :-

(a) To allow the applicants to amend the First Appeal being First Appeal No.1853 of 2013 and implead Mr.Mohanshinge Jaisinghrao Shinge, residing at Filmcity Road, Pimpripada, Malad (E), Mumbai – 400 097, as respondent No.3.

(b) To allow the applicants to carry out the consequential and necessary amendments after Mr.Mohanshinge Jaisinghrao Shinge is impleaded as respondent No.3 to the First Appeal, being First Appeal No.1853 of 2013.

(c) The applicants to carry out appropriate amendment within four weeks from today, failing which the civil application shall stand dismissed without reference to the Court.

(d) If amendment is carried out within the stipulated time as stated above, office is directed to issue notice to the added respondents in First Appeal No.1853 of 2013.

- (e) In addition to the usual mode of service, applicants to serve the added respondent by private notice either by R.P.A.D. or by hand delivery.
- (f) Applicants are directed to serve amended copy of the appeal memo on the advocates of the other side within four weeks from the date of amendment.
- (g) Civil application disposed of accordingly.

(*K.K.TATED, J.*)