

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

**CIVIL APPLICATION NO.1162 OF 2015
IN
SECOND APPEAL NO.402 OF 1993**

Jitendra Goverdhandas Tanna

.. Applicant

V/s.

Smt. Sulochana P. Nagarkar & Anr.

.. Respondents

.....

Mr. Nachiket V. Khaladkar, Advocate for the Applicant.

Mr. G. S. Hiranandani h/f. Mr. C. G. Gavnekar, Advocate for the Respondents.

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CORAM : R.K. DESHPANDE, J.

DATED : JULY 30, 2015.

P.C.

The applicant has also filed another Civil Application for grant of permission to join the subsequent purchaser of the suit property, as respondent nos.3 and 4 in the Second Appeal. It is not necessary to join those persons as party respondents in this Second Appeal. Needless to say that if the subsequent purchaser creates obstruction in execution of the decree, the executing Court shall decide

such application in accordance with law. The appellant is, therefore, permitted to withdraw this application with liberty to raise all such questions in the execution of the decree, if such occasions arises.

2 The Civil Application is, therefore, dismissed. No orders as to cost.

JUDGE