

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

**CIVIL APPLICATION NO.3771 of 2014
IN
FIRST APPEAL NO.1264 OF 2013**

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders	Court's or Judge's orders.
---	----------------------------

Mrs.Rajlakshmi Mohandas i/b Mr.O.S.Kutty
for the applicant
Mr.Sandeep Mahadik i/b Mr.Manoj Kumar
Upadhyay for the respondent no.1

CORAM : K.K.TATED, J.
DATED : 25/02/2015

PC:

- 1 Heard the learned counsel for the parties.
- 2 This application is preferred by third party for joining them as party respondent in First Appeal No.1264 of 2013 filed by M.C.G.M. challenging the judgment and decree dated 25.8.2012 passed by Bombay City Civil Court at Bombay in L.C.Suit No.1282 of 2009.
- 3 The applicant submits that as on today they are running public sauchalaya unit situated at Parel. She submits that the appellant Corporation handed over the said unit to them in 2008. Hence, any order passed in First Appeal that will affect

their rights.

4 On the other hand, the learned Senior Counsel for the Corporation submits that they have no objection if Civil Application is allowed.

5 Considering the submissions made by the learned counsel for the applicant and as no objection is given by the Corporation who filed First Appeal No.1264 of 2013, I am satisfied that the applicant has made out a case for allowing Civil Application. Hence, following order:

(A) Civil Application is allowed in terms of prayer clause (b) which reads thus:

“(b) That the appellant be directed to implead the Applicant as Party Respondent No.2 in the main Appeal No.1264 of 2013 filed in this Hon'ble Court.”

(B) Appellant Corporation to carry out appropriate amendment in First Appeal within four weeks from today and serve amended copy on applicant as well as respondent thereafter.

(C) Civil Application is disposed of accordingly.

(K.K.TATED, J.)