

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

WRIT PETITION NO.10770 OF 2013

Mr. Sampat Laxman Dodake

.. Petitioner

Versus

Mr. Kamal Kishor Gulalchand Kacholia

and others

.. Respondents

Mr. Tejas Dande i/b M/s. Tejas Dande & Associates, for the Petitioner.

Ms. Kalyani Tulankar i/b S. B. Deshmukh, for Respondent No.9.

CORAM : R.M. SAVANT, J.

DATE : 30th JANUARY, 2015

PC.

1. The order dated 19.09.2013 allowing the application for impleadment of the subsequent purchasers in the suit in question is taken exception to by way of the above Petition. Since the order is referable to Order 22 Rule 10, the remedy of the Petitioner if any is file an Appeal under Order 43 r/w Section 104 of the CPC. Hence, the above Petition is allowed to be withdrawn with liberty to file an Appeal. If the issue of limitation arises, the fact that the Petitioner was prosecuting the instant Petition can be urged by the Petitioner.

[R.M. SAVANT, J]