

IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD

WRIT PETITION NO. 4986 OF 2016

Popat Ajinath Hake

... Petitioner

Versus

Tanaji Maruti Kodikar and others

... Respondents

.....
Mr. S. S. Kazi, Advocate for petitioner.

.....

CORAM : SUNIL P. DESHMUKH, J.

DATE : 13th JUNE, 2016

ORDER :

1. Heard learned counsel for the petitioner at length.
2. The petitioner - original plaintiff, purportedly aggrieved by order dated 15th February, 2016 on Exhibit-23 in Regular Civil Suit No. 563 of 2013, is before this court.
3. The suit has been filed by petitioner-plaintiff seeking declaration of ownership and possession of suit property and perpetual injunction against defendant No.1. Exhibit-23 had been moved by third parties claiming that the property is ancestral and further that there is also some litigation pending in respect of the same. The trial court in its discretion

has considered that looking at the relationship and further that they claimed some interest in the property and deemed it appropriate to include them as parties in the suit proceedings.

4. Since the order is discretionary, exercise of discretion does not appear to be improper, I do not think it would be appropriate to meddle with the order.

5. Writ petition, as such, is being not entertained and stands rejected.

(SUNIL P. DESHMUKH, J.)

sms