

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 5284 OF 2016

Sanjay Tukaram Lokhande & Ors. ... Petitioners
Vs.
Bapu Kisan Lokhande & Ors. ... Respondents

Mr. V.R. Dhorde, Advocate for the petitioner.

CORAM : SUNIL P. DESHMUKH, J.
DATE : 07-06-2016.

Per Court :

1. Learned counsel contends that application-Exhibit-124 in Regular Civil Suit No. 160 of 2007 for impleading persons referred to therein as party to the counter claim has been belatedly moved. He submits that application has been moved after the issue are framed.

2. Perusal of the impugned orders shows that the court has considered that presence of parties sought to be added will be necessary for complete and effectual adjudication of the *lis* among the parties.

3. Taking into account that the basic reason for taking exception to the impugned order is that there is enormous delay in filing application however, as there is no impediment for impleading

party at any stage. Since the trial in the matter has yet not commenced, the order being discretionary and the circumstances do not show that the exercise of discretion is not unwarranted, it is not the case wherein this court may intervene in the matter.

4. The writ petition as such is not being entertained and is rejected.

(SUNIL P. DESHMUKH)
JUDGE