

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

WRIT PETITION NO. 131 OF 2016

Pravin Abasaheb Unde and Others ..PETITIONERS

VERSUS

Kum. Shrushti Pravin Unde and Another ..RESPONDENTS

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Mr. Yogesh Kale, Advocate h/f Mr. R.R. Karpe, Advocate for petitioners.
Mr. Manoj Dond, Advocate h/f Mr. C.K. Shinde, Advocate for Respondent
No.2.

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CORAM : T.V. NALAWADE, J.
DATED : 23rd NOVEMBER, 2016

ORDER :

1. The petition is filed to challenge the order made by the Civil Court, Senior Division, Shrirampur by which direction is given to add Smt. Thakubai as party defendant in the suit filed for partition. Thakubai is the mother of Defendant No.2 and so grand-mother of the present petitioner. It is contended by plaintiff that suit property is the ancestral property of Abasaheb. In that case, in ordinary course mother of Abasaheb ought to have been made party to the suit but she is not made party. Submission made that evidence is already recorded. It cannot be come in the way of Court of mother of Abasaheb made party. Parties are

Hindus and so this Court does not find any reason to interfere in the suit.

Petition stands dismissed.

(T.V. NALAWADE, J.)

SSD