

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE JURISDICTION.**

WRIT PETITION NO. 1577 OF 2011

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Mohit Jadhav for the Petitioner.

Mrs. V.V. Thorat for the Respondent.

CORAM : K. K. TATED, J.

DATED : 14/06/2016

PC.:

. Heard learned Counsel for the parties.

2 By consent of both the parties, matter is taken on board for final hearing.

3 By this petition under Article 227 of the Constitution of India the Petitioner plaintiff challenges the order dated 28.01.2011 passed by Bombay City Civil Court, Mumbai in Chamber Summons No. 607 of 10 in S.C. Suit No. 1382 of 2009 directing the petitioner plaintiff to join the applicant/3rd party as defendant in suit and carry out appropriate amendment.

4 After arguing for some time, the learned counsel for the plaintiff submits that they have no objection to join the respondent intervenor as party defendant in S.C. Suit No.1382 of 2009. He submits that issue about the ownership of Survey No. 103/4

and CTS No. 182 Ekta Nagar, New Link Road, Kandivali (W), Mumbai, to be kept open.

5 Hence, by consent Writ Petition disposed of on following terms:

a) Petitioner/plaintiff is directed to join Respondent Nos. 2, 3 and 4 as defendants in S.C.Suit No. 1382 of 2009 and serve amended copy of plaint on Advocate for Respondent nos. 2, 3 and 4 within four weeks from today.

b) Liberty granted to the Respondent Nos. 2, 3 and 4 to file their written statement after receiving the copy of plaint within four weeks thereafter and serve copy on other side.

c) Hearing of S.C. Suit No. 1382 of 2009 is expedited.

(K.K.TATED, J.)