

Sequeira

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

WRIT PETITION NO. 3675 OF 2015

Mr.Jyotin Jaishukhalal Doshi

.. Petitioner

Vs.

Smt.Alka Kantaram Nanekar & ors.

.. Respondents

Mr.Satish Kumbhar, for the Petitioner.

Mr.Vijay Dighe i/b Mr.Nitesh Bhutekar, for Respondent Nos.1 to 6.

***CORAM : N.M.Jamdar, J.
Tuesday, 16 August 2016.***

P.C. :

The Petitioner challenges the order passed by the learned Civil Judge Junior Division Vadgaon Maval, dated 30 December 2015. By the impugned order, the Plaintiffs are permitted to delete the Defendant No.9. This order is impugned by the Petitioner who is Defendant No.10. It is the case of the Respondents-Plaintiffs that the Respondents-Plaintiffs have no grievance against the Defendant No.9 and therefore, he may be permitted to be deleted. It is the case of the Petitioner that since he has purchased the property from Defendant No.9 he is necessary party to the suit.

3. The deletion is sought by Plaintiff who is in carriage of the proceedings. If the Plaintiff has decided to delete the Defendant

No.9 from array of parties in the suit, the said decision is entirely at the risk of the Respondents-Plaintiffs. That being the position and that the deletion is at the risk of the Respondents-Plaintiffs, it is not necessary to interfere with the impugned order. Writ Petition is rejected.

(N.M.Jamdar, J.)