

JPP

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

WRIT PETITION NO. 3082 OF 2016

Mr. Shaikh Jahir Ahmed Papamiya. ... Petitioner.

V/s.

Mohammed Hanif Md. Shawwal and Ors. ... Defendants.

Mr. M.N. Sandhyanshiv for the Petitioners.
Mr. N.R. Bubna for the Respondents 1 to 6.

CORAM : N.M. Jamdar, J.

25 August, 2016.

P.C. :-

Not on board. Taken on production board by way of praecipe.

2. The Application filed by the Petitioner for joining himself as party in the proceedings has been rejected by the learned Civil Judge, Senior Division, Malegaon. The Petitioner has sought to implead himself in these proceedings where the issue regarding compensation in proceedings under land reference are pending. It is informed that the Petitioner has already filed substantive proceedings

to get the rights declared. It is also informed by the learned Counsel for the parties that the proceedings are now at the stage of arguments.

3. At this stage I am not inclined to interfere with the impugned order. Since the Petitioner is not party and has already filed substantive proceedings, it is clarified that whatever be the outcome of the present proceedings, the substantive rights of the Petitioner which is being agitated by him in Regular Civil Suit will not be affected and it is open to the Petitioner to take appropriate steps in the substantive proceedings. With these clarification, the Writ Petition is disposed of.

(N.M. Jamdar, J.)