

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 11682 OF 2015**

Venessa D'Souza	..Petitioner
Vs.	
Hiranandani Properties Pvt Ltd. & Ors	..Respondents

**WITH
WRIT PETITION NO.11683 OF 2015**

Ali Akbar Jafari	..Petitioner
Vs.	
Hiranandani Properties Pvt Ltd. & Ors.	..Respondents

Mr. Prasad Kulkarni for the Petitioner in both the Petitions

**CORAM : R. M. SAVANT, J.
DATE : 5th APRIL, 2016**

P.C.

1 The above Writ Petitions take exception to the orders both dated 28-9-2015 passed in Appeal No.462 of 2015 and Appeal No.463 of 2015, by which orders, the Respondent Nos.4 to 6 in Writ Petition NO.11682 of 2015 and Respondent Nos.4 to 7 in Writ Petition No.11683 of 2015, were allowed to be impleaded as party Respondents to the said proceedings. The said orders are challenged to the extent they allow the impleadment of the Respondent Nos.4 to 6. The said proceedings relate to Mutation Entry effected in favour of the Respondent No.1. The Respondent No.1 is a purchaser from the Petitioner. The Petitioners claim to have purchase the property from the original land owners. It seems that the Petitioners have terminated the

Development Agreement and Power of Attorney executed in favour of the Respondent No.1. The Respondent No.1 has filed a Suit for declaration and injunction that the Sale Deed executed in favour of the Petitioners is not binding upon him. In the said Suit, the Respondent Nos.4 to 6 are parties. The Respondent Nos.4 to 6 have filed the instant applications based on the right created in their favour by the Respondent No.1. Since the Appellate Authority is concerned with the Mutation Entry to which a challenge has been raised by the Petitioners and considering that the Respondent Nos.4 to 6 are the successors of the Respondent No.1, the Appellate Court has deemed it appropriate to allow the applications for impleadment filed by the said Respondents in each of the Appeals.

2 In my view, no case for interference in the Writ Jurisdiction of this Court is made out. The Writ Petitions are accordingly dismissed.

3 However, since the challenge is only to the extent of allowing the applications of the Respondent Nos.4 to 6 for impleadment, the order of status-quo in favour of the Petitioner would continue to operate.

[R.M.SAVANT, J]