

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 856 OF 2016
(FOR INTERVENTION)
IN
FIRST APPEAL NO. 1680 OF 2008

1. Sou. Vaishali Sumit Dorle & anr.	Applicants
AND	
Member Secretary,	
Maharashtra Jeevan Pradhikaran	Appellants
V/s.	
M/s. Sumit Engineering & Ors.	Respondents

* * * * *

Mr. V.S. Deokar, Advocate for the applicant in CAF-856-2016 (original respondent no.2 in FA)

Mr. Hiranandani i/by. Mr. C.G. Gavnekar, Advocate for the respondent (original respondent no.1 in FA).

Ms. Neeta Karnik, Advocate for the appellant in FA-1680-2008.

Coram :- Smt. R.P. SondurBaldota, J.

18th March, 2016.

P.C. :-

1). This Civil Application is for intervention by the wife and son of original respondent no.1(b). It appears that, there are some matrimonial differences between respondent no.1(b) and applicant no.1 herein. She has already filed proceedings for maintenance. Applicant no.2 is the minor son of applicant no.1 and original respondent no.1(b). The original respondent no.1 is M/s. Sumit Engineering Construction

Company of which Vilas Ganesh Dorle was the proprietor. On the death of the proprietor, his widow and son have been brought on record as respondents no.1(a) and 1(b). Respondent no.1, Company had filed a suit against the appellants for recovery of certain amounts. That suit being decreed, the appellants had approached this Court. Merely because the applicant has developed some marital discord with respondent no.1(b), she cannot be said to be even a Proper party to the proceedings, much less, Necessary. Mr. Deokar, the learned Advocate appearing for the applicants, has not been able to show any present right that the applicants have to the claim in the suit which is being tested in the appeal. Hence, the Civil Application is dismissed.

(SMT. R.P. SONDURBALDOTA, J)