

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 16300 OF 2016
IN
WRIT PETITION NO. 4445 OF 2005**

Sureshkumar Gawaldasji Meghani

.. APPLICANT

VERSUS

Narayandas Ramnath Samdani
& another

.. RESPONDENTS

Mr. R.F. Totla, advocate for applicant.

Mr. R.R.Mantri, for respondent no. 2 in writ petition.

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CORAM : S. B. SHUKRE, J.

DATE : 20th FEBRUARY, 2017.

PER COURT :

1. Heard.

2. Respondents no. 1 and 2 are the original landlords who have sold the suit property to the applicant on 1st July, 2016, by registered sale-deed, much after passing of the eviction decree. Respondents no. 3 and 4 are the legal heirs of original tenant. In view of subsequent developments, which prima facie indicate possibility of applicant stepping into the shoes of original landlords, would necessitate allowing of this application. Accordingly, this application is allowed.

3. Now, the question is whether this applicant should be added as petitioner no. 3 or as party respondent. It is submitted by learned counsel for applicant that original petitioners have lost interest in this petition and,

this is evident from the notice given by landlords to this applicant which is at page no. 3 of paper book of this application. This notice lends support to the submission of learned counsel for applicant and would also answer the question which is raised just now.

4. Accordingly, applicant is permitted to be joined as respondent no. 3. Necessary amendment to the clause title be carried out by newly added petitioner no. 3 within two weeks from the date of the order. Civil application stands disposed of.

(S. B. SHUKRE)
JUDGE

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