

Santosh

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

APPEAL FROM ORDER NO. 1018 OF 2014

WITH

CIVIL APPLICATION NO. 870 OF 2015

WITH

CIVIL APPLICATION NO. 239 OF 2016

Raddubai Jethya Bhogade

...Appellant

Versus

Rashid Haji Allauddin & Anr

Respondents

None for the Appellant.

CORAM: G.S. PATEL, J

DATED: 10th July 2017

PC:-

1. The Appeal is directed against an order dated 8th May 2014 declining the Appellant's Chamber Summons for impleadment. The Appellant claimed that she was a legal heir of the legal representative of the Defendant. The Plaintiff opposed this application saying that the Applicant was aware of the suit, the decree and subsequent execution proceedings, all of which were unchallenged.

2. The City Civil Court found that the Chamber Summons was filed for impleadment well after the Suit itself had been decreed on 8th September 2006 while execution proceedings were pending.
3. I see no reason to interfere. In any case, none appears for the Appellant.
4. The Appeal is dismissed. No costs.
5. The Civil Applications do not survive and are disposed of as infructuous.

(G. S. PATEL, J.)