

Shephali

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 624 OF 2017
IN
APPEAL FROM ORDER NO. 398 OF 2016

Sundeeep Ramesh Desai	...Applicant
<i>In the matter between</i>	
Iqbalsingh Sablok	...Appellant
<i>Versus</i>	
Bharat Petroleum Corporation Ltd	...Respondent

Mr Anjani Kumar Singh, i/b Darshan G Naik, for the Applicant.
Mr YT Tiwari, i/b Kamlesh R Yadav, for the Appellant.

CORAM: G.S. PATEL, J
DATED: 31st July 2017

PC:-

1. This civil application is for impleadment. The applicant is the heir of a deceased partner of the appellant. The deceased partner was one Ramesh Desai. The applicant is his son. He seeks to be added as respondent no. 2.

2. In my view, this is necessary since the contract was between Bharat Petroleum Corporation Limited (“BPCL”), respondent no. 1, and the partnership firm of which the appellant and Ramesh were partners. The BPCL agreement contained certain restrictions

regarding the reconstitution of the firm. These are among the issues involved in the impugned order and the present appeal, for the appellant argues that after the death of Ramesh Desai, he was entitled to continue the BPCL agreement and receive supplies.

3. The civil application is made absolute in terms of prayer clause (a). Amendment to be carried without need of reverification by 18th August 2017. Amendments will be required to the appeal and to the civil application for stay. Copies of the amended appeal and stay application to be served on the advocates for both respondents on or before 28th August 2017.

4. List the appeal on 4th September 2017.

(G. S. PATEL, J)