

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELATE JURISDICTION**

CIVIL REVISION APPLICATION NO. 436 OF 2017

Jeev Raksha Animal Welfare Trust .. Applicant

v/s.

Lila Parulekar Welfare Trust .. Respondent

Ms. K. Padmashri i/b Kulkarni & Associates for the applicant
None for the respondent

CORAM : M.S. SANKLECHA, J.

DATED : 14th AUGUST, 2017

PC.

1. This Civil Revision Application is moved for admission and urgent reliefs.

2. This Civil Revision Application challenges the order dated 17th April, 2017 passed by the Civil Judge, Senior Division, Pune. By the impugned order, Lila Parulekar Welfare Trust was added / impleaded as an opponent. The petitioner had filed a petition for grant of a probate for the Will of the late Ms. Lila Parulekar, stated to have been executed on 1st May, 2010. Consequent to the above, a citation was issued calling all persons having any interest in the estate of the

deceased to file their claims in terms of Section 283 of the Indian Succession Act, 1925. Consequent to the above, the Lila Parulekar Welfare Trust filed an application dated 21st December, 2016 to be impleaded as opponent no.2 to the probate proceedings. The impugned order on the basis of the affidavit filed found that it continues to take care and have interest in the property of the deceased. Thus, concluded that the respondent-Trust a necessary party to the proceedings. Consequently, the impugned order allows the application. The impugned order seem unexceptional. Moreover, the petitioner is unable to show how the impugned order is without jurisdiction or passed illegally or with material irregularity so as to invoke Section 115 of the Civil Procedure Code to file this application.

3. In the above view, the Civil Revision Application is dismissed.
No order as to costs.

(M.S. SANKLECHA, J.)