

Amk

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

WRIT PETITION NO. 9037 OF 2012

Sou. Sarita Dargonda Mane & Anr.	.. Petitioners
Vs.	
Smt. Shobha Vijay More & Ors.	.. Respondents

Mr. P. D. Dalvi for the Petitioners.

CORAM : M. S. SANKLECHA, J.
DATE : 12th SEPTEMBER, 2017.

P. C. :

1. This petition has been filed challenging the order dated 27.08.2012 passed by the Joint Civil Judge, Senior Division, Kalyan. By the impugned order the petitioner's application for adding respondent Nos.4 to 9 as party-defendants in the suit was rejected under Order 1 Rule 10 of the Code of Civil Procedure. The basis of the petitioner's application to the Trial Court to add respondent Nos.4 to 9 as defendants to the suit was that they were parties who purchased suit property from original defendant Nos.1 and 2 i.e. respondent Nos.1 and 2.

2. However, Mr. Dalvi very fairly states that pending the disposal of this petition, the petitioners had filed suit bearing No. 1 of 2016 in the Court of Civil Judge Junior Division, Ulhasnagar seeking to declare the sale deed executed by respondent Nos.1 and 2 in favour of respondent Nos.4 to 9 as illegal and void.

3. In the above view, the present petition becomes academic. This is so as the relief which was proposed to be sought by the amendment is a part of the relief sought in suit No. 1 of 2016 before the Civil Judge Junior Division, Ulhasnagar. I see no reason to exercise my supervisory jurisdiction under Article 227 of the Constitution of India with regard to the impugned order.

4. Accordingly, the petition is dismissed. No order as to costs.

[M. S. SANKLECHA, J.]