

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

CIVIL APPLICATION NO.11254 OF 2006 IN
SECOND APPEAL NO.189 OF 1999

Ashok s/o Trimbakrao Patil & ors. ...APPLICANTS

VERSUS

Prakash @ Sham Sadashiv Mali & ors. ...RESPONDENTS

.....
Shri V.R. Dhorde, Advocate holding for
Shri S.J. Salunke, Advocate for applicants
Shri Nitin Jagadale, Advocate holding for
Shri V.D. Salunke, advocate for respondent No.1
Shri A.S. Kulkarni, Advocate holding for
Shri V.D. Gunale, Advocate for R.No.2 and 3
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CORAM: A.M. DHAVAL, J.

DATED : 29th October, 2018.

ORAL ORDER :

1. The Second Appeal was compromised and disposed of in terms of compromise. Thereafter, the respondent No.3 Premkalabai w/o Vasantrao (original plaintiff) has created third party interest by executing sale deed in favour of the present applicants. Thereafter the sisters filed Misc. Application and the order of accepting compromise was recalled. The original plaintiff has disposed of 5 acres of land to the present applicants and if

she would not contest the appeal, the appellants would be the sufferers. Considering the facts, the application for impleadment is allowed only to the extent of impleadment. If the applicants want to claim any other relief/s, they may file separate application for further reliefs. It is clarified that, no opinion is expressed about merits of the transfer. Civil Application No.11254/2006 is disposed of.

2. Time of three weeks is granted to the appellants for filing reply to contempt Petition No.687/2016. Copy of reply be supplied to the other side within three weeks. S.O. to 29th November 2018.

(A.M. DHAVALÉ)
JUDGE

fmp/