IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO. 10192 OF 2016

HARUN AHMAD SAYYAD
VERSUS
INAYATBEE ABDULGANI SHAIKH AND OTHERS
...
Advocate for Petitioner : Shri Wakure Sanjay A.
...
CORAM : RAVINDRA V. GHUGE, J.
Dated: January 30, 2018
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PER COURT :-

1. The petitioner is aggrieved by the order dated 20.4.2016 passed by the trial Court, by which, application Exhibit 124, filed by a third party Inayatbee in RCS No.194 of 2010 has been allowed under Order I Rule 10 of the CPC and she is permitted to be arrayed as a defendant.

2. The petitioner is original defendant No.6, who is the grand-son of the original owner Ladlesaheb and son of deceased Ahmed. Inayatbee claims to be the daughter of Ladlesaheb and defendant No.6 claims to have no knowledge about the same. Contention is that she could be the grand daughter of Ladlesaheb. The trial Court has allowed Exhibit 24 since the plaintiff did not have any objection for adding Inayatbee.

3. Though the learned counsel for the petitioner has strenuously criticized the impugned order, it cannot be ignored that if Inayatbee is

factually the daughter of Ladlesaheb and if the original plaintiffs have suppressed her identity, it would cause an irreparable harm to her rights as the suit property is an immovable property. I, therefore, do not find that the impugned order could be termed as being perverse or erroneous.

4. This petition, being devoid of merits, is therefore, dismissed.

(RAVINDRA V. GHUGE, J.)

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akl/d