

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

913 WRIT PETITION NO. 11702 OF 2018

SAYYED TAIMUR SAYYED GAFUR
VERSUS
PANDITRAO NARAYANRAO DAUND AND OTHERS

...
Advocate for Petitioner : Mr. B S Shinde h/f Latange V.P.

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CORAM : N.M. JAMDAR, J.
Dated: November 27, 2018

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PER COURT :-

By this petition, the petitioner has challenged the rejection of his application as impleadment as defendant in the suit filed by the respondents-plaintiffs.

2. According to the petitioner, the petitioner has a right in the suit property and partition suit is also pending. The petitioner has pointed out the same in his application, which the plaintiff has opposed and the learned Civil Judge has held that no relief is claimed against the present petitioner. It is settled that, if the petitioner is not joined in the suit, then, the decree passed in the suit will not be binding on the petitioner. This is the risk which the respondents-plaintiffs have taken.

3. In view of this position, the writ petition need not be entertained and is accordingly disposed of.

(N.M. JAMDAR, J.)

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