

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

WRIT PETITION NO.7837 OF 2016

Bhimaji J. Katore & Ors.

.. Petitioners

Vs.

Laxmibai N. Katore & Ors.

.. Respondents

Ms.Gauri Jadhav for the petitioners.

None for the respondents.

CORAM : R.D. DHANUKA, J.

DATE : 10th September 2018

P.C.:

. Learned counsel for the petitioners states that all the respondents are served. Statement is accepted.

2. None appears for the respondents when the matter was called out. By an order dated 7th December 2015 passed by the Civil Judge, Senior Division, Pune below Exhibit-134, the learned trial Judge has allowed the application for impleadment of the respondent nos.3 and 4.

3. A perusal of the order dated 7th December 2015 indicates that the learned trial Judge while allowing the application below Exhibit-134 has not recorded any reasons.

4. I therefore pass the following order :-

- (i) The impugned order dated 7th December 2015 is quashed and set aside.
- (ii) The application below Exhibit-134 is restored to file and the same shall be reconsidered afresh without being influenced by the

observations made and the conclusions drawn in the impugned order dated 7th December 2015 after hearing both the parties.

(iii) Writ petition is allowed in aforesaid terms. No order as to costs.

R.D. DHANUKA, J.