

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 10552 OF 2017

Smt.Vaijayanta Somninga Chamkeri and anr. .. Petitioners

Vs.

Shri Kallappa Somninga Chamkeri and ors. .. Respondents

Mr.Vijay Killedar, for the Petitioners.

None for the Respondents.

CORAM : M.S.KARNIK, J.

DATE : 13th DECEMBER, 2018

P.C. :

Heard learned Counsel for the petitioners. The petitioners are aggrieved by an order passed by the Ad-hoc District Judge –1, Sangli below Exhibit 33 in Regular Civil Suit No. 242 of 2013. An application was filed by the third party viz. respondents No. 4 to 7 herein who are daughters of Shri Kallappa Somninga Chamkeri for making them party to the appeal. In the application of respondents No. 4 to 7, filed before the trial court, it is stated that the plaintiffs have not made them party though as legal heirs of Shri Kalappa they have right in the suit

property. Learned Counsel for the petitioners submitted that order passed by the trial Court does not at all affect rights of the respondents No.2 to 4. According to him, such application is made only with a view to delay the decision in the appeal. The trial court has held that respondents No.2 to 4 are necessary to be added as respondents in the appeal. In my opinion, the order passed by the Appellate Court below Exhibit 33 does not call for interference. However, considering the fact that the appeal is of the year 2013, the Appellate court is requested to hear the appeal as expeditiously as possible and preferably within 6 months from today.

The petition is disposed of in the above terms.

(M.S.KARNIK, J.)