

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****CIVIL APPLICATION NO. 28 OF 2017****IN****CIVIL REVISION APPLICATION NO. 528 OF 2011****Bhanudas Nagesh Bali****..... Applicant****VERSUS****M/s.Pranay Construction Pvt. Ltd. & Ors.****..... Respondents**

Mr.V.K.Sharma, i/b. Mr.R.U.Singh for the Applicant.

Mr.Ashfaque Yusuf Shaikh, I/b. Mr.Shoib Memon for the Respondents.

CORAM : R.D. DHANUKA, J.**DATE : 25th OCTOBER, 2018****P.C.**

By this civil application, the applicants seeks impleadment of the proposed respondents as party to the civil revision application which is arising out of the decree passed by the learned trial judge dismissing the suit filed by the petitioner under section 6 of the Specific Relief Act, 1963. The petitioners had prayed for possession of the suit property in the said suit on which the building is constructed and the society has been formed by the occupiers of the said building. The society has been formed during the pendency of this civil revision application. The applicant obtained the requisite documents from the concerned department relating to the incorporation of the registration of the said society during the pendency of the civil revision application. The society has been served by the applicant. None appeared for the society. The applicant has thus made out a case for impleadment of the society as party respondent.

2. For the reasons recorded in the civil application and for the aforesaid reasons, the civil application is made absolute in terms of prayer clause (a). No order as to costs.

3. The applicant is permitted to carry out amendment in terms of the schedule appended to the civil application. Amendment to be carried out within two weeks from today. Amended copy of the civil revision application shall be served upon all the parties including newly added party within two weeks from the date of carrying out amendment. If the newly added party seeks to file affidavit in reply, the same shall be filed within four weeks from the date of service of the papers and proceedings and notice in those proceedings and shall serve a copy thereof upon the applicant's advocate simultaneously.

[R.D. DHANUKA, J.]