

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

**C.A. IN OTH. (MCA/TXA/CA/FERA) NO. 301 OF 2017
IN
CROSS OBJECTION (ST.) NO. 13982 OF 2012
IN
SECOND APPEAL NO. 1112 OF 2006**

Sograbai Iqbal Hussain

....Applicant

V/s.

Prakash Kantilal Shah & Ors.

....Respondents

Mr. Sanjay Patil for the applicant in CAO 301/2017
and CAO 302/2017.

Mr. Rohan Kaiche I/b. Anilkumar Patil for respondent no.1.

Mr. Hitesh Vyas for respondent nos.4 to 8.

Mr. Sandeep Waghmare for respondent nos.3A to 3I.

**CORAM: SMT. ANUJA PRABHUDESSAI, J.
DATED: 17TH DECEMBER, 2018.**

P.C.:

. At the outset, Mr. Sanjay Patil, learned counsel for the applicant seeks leave to delete the name of respondent no.9 – The Commissioner, Malegaon Municipal Corporation, Malegaon from the cause title and to make consequential amendment in the prayer clause (a).

2. Leave is granted. Amendment to be carried out forthwith.

3. By this application, the original respondent no.1, has sought leave to add the respondent nos.4 to 8 as party respondents in the

Cross Objection (St.) No.13982 of 2012. It is alleged that during the pendency of the Second Appeal, the original respondent no.3 has sold the property to these respondent nos.4 to 8.

4. The respondent nos.4 to 8 are therefore necessary parties. Hence, the Application is allowed. Respondent nos.4 to 8 are ordered to be brought on record. Cause title be amended accordingly. Mr. Hitesh Vyas, learned counsel waives service on behalf of respondent no.4 to 8.

5. Civil Application stands disposed of.

(SMT. ANUJA PRABHUDESSAI, J.)