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

***CIVIL APPLICATION NO.2342 OF 2018
IN
CIVIL WRIT PETITION NO.2804 OF 2018***

Kamal Chandrakant Kadam ..Applicant

IN THE MATTER BETWEEN

Vimal Mahadev Kadam ...Petitioner

Versus

Laxmibai Krishna Kadam and Ors. ...Respondents

Mr.A.S.Kapse, for the Applicant/Intervener.

Mr.S.J.Ghogare, for the Original Petitioner.

Mr.S.D.Rayarikar, A.G.P. for the Respondent – State.

CORAM : REVATI MOHITE DERE, J.

DATE : 24th OCTOBER, 2018

P.C. :

. The aforesaid Civil Application is not on board. Taken on board.

1. As far as the Writ Petition is concerned, the same is adjourned

to 2nd November, 2018, for recording compliance of the order dated 12th October, 2018.

2. Learned Counsel for the Applicant/Intervener in the aforesaid Civil Application states that the Applicant/Intervener has been staying in the said premises, since her marriage and that there is no grievance made by the Respondent No.1, as against her. He states that the Applicant/Intervener is a Senior Citizen and has no other place of residence. He submits that having regard to the fact that the Applicant/Intervener was not a party to the aforesaid Writ Petition, and that the Respondent No.1 had not made any grievance against the Applicant/Intervener, it may be clarified that the order dated 12th October, 2018, will not apply to her.

3. Admittedly, the Applicant/Intervener was not a party to the proceedings i.e. Writ Petition in which the order dated 12th October, 2018 was passed.

4. Hence, needless to state, that the Applicant/Intervener may continue to stay, inasmuch as, the Respondent No.1 had no grievance

against her, when the order dated 12th October, 2018, was passed.

5. During the hearing, it also transpired that Poonam, grand daughter of the Respondent No.1 and Poonam's husband tried to create a rukus in the premises, when the Respondent No.1 was taken back to her house and wanted to stay with the Respondent No.1.

6. It is made clear that Poonam and her husband shall not stay with the Respondent No.1, having regard to what transpired when the Respondent No.1 was interviewed in the Chamber on 11th October, 2018.

7. The Application is disposed of with the aforesaid clarification.

8. All concerned to act on the authenticated copy of this order.

(REVATI MOHITE DERE, J.)