

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

SECOND APPEAL NO.165 OF 2016

(Sau. Bharti Pravin Jathe Vs. Pravin s/o Nagorao Jathe)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Shri S.C. Bhalerao, Advocate for Appellant.
Shri Apurv De, Advocate for Respondent.

CORAM: ROHIT B. DEO, J.

DATE: 26th NOVEMBER, 2018.

Civil Application (CAS) No.1219/2017:

This is an application seeking to join Shri Sunil Kale as party respondent.

2] Shri Bhalerao, the learned Counsel for the petitioner has no objection. Shri Bhalerao would submit, that as a fact Sunil Kale was a necessary party before the Trial Court and the First Appellate Court. He would further submit that although the decree on the ground of adultery is set aside, the finding that the wife committed cruelty is substantially if not entirely based on the premise that she was in an adulterous relationship with Sunil Kale.

3] The application is allowed.

4] The appellant to take steps to add Shri Sunil Kale as respondent 2 in this appeal. This shall be done in a week.

5] Let notice be issued to the added respondent, returnable on 07.01.2019.

JUDGE