

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

937 CIVIL APPLICATION NO.13879 OF 2018
IN SA/119/2018

EKNATH BHAGUJI KANDEKAR AND ORS
VERSUS
M/S. ENERCON (INDIA) LTD THR. ITS AUTHORISED SINGATORY MR.
PRAVEEN MADHAV SHARMA

...
Advocate for Applicants : Mr. Palod L.B.

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CORAM : SMT.VIBHA KANKANWADI, J.
DATE : 24-04-2019.

PER COURT :

1. Present application filed for addition of party. The applicants have contended that, they be permitted to add Wind World India Limited as respondent No.3. They also contended that the new company that is the company to be added has purchased the respondent No.1 company, and therefore, the proposed respondent No.3 has kept in to the shoes of respondent No.1, and therefore, it is a necessary party.
2. Notice was served to the proposed respondent, however the company has not appeared. The document has been produced by the applicant- appellant which has been produced at Annexure 'X', which show that the respondent No.3 has now interest in the subject matter

of the suit. Therefore, definitely the proposed respondent No.3 is a necessary party. Hence, the application is allowed.

3. Proposed respondent No.3 be added as respondent No.3 to the second appeal. The amendment to that effect be carried out within 14 days from this order. The application is therefore disposed of.

(SMT. VIBHA KANKANWADI)
JUDGE

vjg/-.