

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.2069 OF 2017
IN
WRIT PETITION NO.3023 OF 2000

The Club of Monino Jesus	...	Applicant
v/s.		
Ateka Bai Bedruddin & ors.	...	Respondents

Mr. Tejas Hartalkar I/b. S.S.Kanetkar for the applicant.

None for respondents.

CORAM : DAMA SESHADRI NAIDU, J.

4th June 2019.

P.C.

From the arguments of the learned counsel appearing for the applicant-petitioner, I gather that initially the landlord filed proceedings to have the petitioner evicted. The Suit was decreed. The petitioner filed an appeal. As it remained unsuccessful in the Appeal too, the petitioner eventually filed this writ petition.

2. As the proceedings were pending before the Appellate Court, the landlord is said to have died, and in his place his legal representatives

were brought on record. As a matter of subsequent development while this writ petition is pending, a third party seems to have claimed title to the property on the ground that he had purchased it. Therefore, the petitioner seeks to bring on record that 3rd party as the 4th respondent.

3. Despite a counsel being on record for respondents 1 to 3, there is no representation. As the proposed 3rd respondent seems to have asserted title to the property, he is a necessary party to the proceedings. I, therefore, **allow** the Civil Application to enable the petitioner to bring on record the 3rd party as the 4th respondent.

4. The petitioner will ensure service of notice on the 4th respondent at the earliest. Post the matter in **three weeks**.

(DAMA SESHADRI NAIDU, J)

L.S. Panjwani, P.S.