

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 132 OF 2019

Shri. Suresh Undru Patil & Ors. .. Petitioners

vs.

Shri. Harbhajan Singh Gurcharan Singh
and Ors. .. Respondents

Mr.Kishor Patil I/b. Mr. Amol Mhatre for the Petitioners.
Mr. Satish Muley for Respondent Nos. 1 & Mrs. Seema Joshi
for Respondent No. 2 & 3.

CORAM : M. S. SONAK, J.
DATE : 24th APRIL 2019.

P.C. :-

- 1] Heard Learned Counsel for the parties.
- 2] In pursuance of order dated 23rd April 2019, Mr. Satish Muley Learned Counsel appearing for respondent No.1/ Original plaintiff in the suit, on the basis of instructions from the plaintiff makes a statement that the decree which may eventually to be made in Regular Civil Suit No.240 of 2018 will in no manner affect the interest of the petitioner if any, in the suit property.
- 3] In view of the aforesaid statement, Mr. Kishor Patil Learned Counsel for the petitioner, on the basis of

instructions from the petitioner, agrees that the intervention of the petitioner in the suit is really unnecessary.

4] Mr. Patil submits that the only apprehension of the petitioner was that the interest of the petitioner might be affected on the basis of decree in this suit. Now that this apprehension no longer survives, he agrees that the impugned order need not be interfered with.

5] Accordingly, by accepting aforesaid statement this petition is disposed of. Further it is made clear that, the present order or for that matter impugned order shall not in any manner affect the proceeding in Regular Civil Suit No. 693 of 2018 instituted by the petitioner or for that matter regular Civil Suit No. 240 of 2018. All contentions of all parties are kept open. This petition is disposed of in the aforesaid terms.

(M. S. SONAK, J.)