

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

CIVIL APPLICATION NO. 941/2021

IN

FIRST APPEAL NO. 397 OF 2014

WITH

CROSS OBJECTION NO. 17/2017

Executive Engineer, Minor Irrigation Division__ Vs. __Chandulal Ramsingh Mahendre
thr L.Rs and anr

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

Court's or Judge's orders

Mr. A.S.Mehadia, Advocate for Respondent No.1

Mr. M.A.Kadu, AGP for Respondent Nos. 2

Mr. R.J.Shinde, Advocate for applicant/intervenor

CORAM : AVINASH G. GHAROTE, J.

DATE : 13/12/2022

C.A.F No. 941/2021

Civil Application No.941/2021 raises a claim that the applicants are the original legal heirs of Respondent No.1 Chandulal Ramsingh Mehendre and therefore needs to be brought on record as intervenor to intervene.

What is material to note is that First Appeal No. 397/2014 has already been disposed of by judgment dated 14.11.2019, considering which there is no question of the application being permitted, as there is no lis pending.

In case the applicants claim to be the real L.Rs of the original claimant/Respondent No.1, it would be open for them to file appropriate proceedings, before

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the appropriate forum for a declaration in that regard and seek appropriate interim order therein.

The application is accordingly dismissed for the above reason.

JUDGE

Rvjalit