

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

CIVIL APPLICATION (CAF) NO. 3182/2018 IN
FIRST APPEAL NO. 297/2014

VIDC, through its E.E. Minor Irrigation Division No.2, Chikhli, Tah. Chikhli,
Dist. Buldhana.

V/s

Radhabai Piraji Jadhav (Dead), through her Legal Representative and others.

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

Court's or Judge's orders.

Shri P.B. Patil, counsel for the appellant.
Shri N.B. Kalwaghe, counsel for the respondent Nos. 3 to 8.

CORAM: ARUN D. UPADHYE, J.

DATE: 09-01-2019.

The application is filed by applicant Nos. 1 to 6 for grant of permission to add the applicant as a party respondent Nos. 3 to 8 in the First Appeal.

Shri N.B. Kalwaghe, learned counsel for the applicants has submitted that the respondent Nos. 3 to 8 are legal heirs of deceased Kalawati and the real sisters of the respondent No.1 Shashikala. He further submitted that in Regular Civil Appeal No. 96/2011, the appellate Court has held that Kalawatibai and Shashikala are having equal share in the unsold land Gat No. 196, which is acquired land. He, therefore, submitted that these applicants be added as party respondent in the First Appeal.

Shri P.B. Patil, learned counsel for the appellant has no objection for adding as a party respondent. The

counsel for the respondent No.1, however not filed reply.

After considering the submissions of the learned counsel for the applicant and after perusal of the judgment in Regular Civil Appeal No. 96/2011 passed by the District Judge-1, Buldhana dated 2.5.2018 these applicants could be added as party respondent in the appeal.

Civil application is allowed. Applicant Nos. 1 to 6 be added as a respondent No.3 to 8 in the appeal.

Necessary amendment be carried out in the appeal memo.

First Appeal No. 297/2014

The appellant is directed to deposit the decretal amount in this Court within six weeks.

JUDGE