

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

901 WRIT PETITION NO. 15589 OF 2019

WAHEEDUNISA BEGUM W/O SIRAJUL HASSAN THROUGH
POWER OF ATTORNEY SIRAJUL HASSAN S/O MAHEMOOD
VERSUS

THE STATE OF MAHARASHTRA AND OTHERS

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Advocate for Petitioner : Mr. K. M. Nagarkar h/f
Ms. Kulkarni Smita S.

AGP for Respondent-State : Mr. A. M. Phule

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CORAM : V. K. JADHAV, J.
DATED : 31st JANUARY, 2020

PER COURT:-

1. Heard finally at admission stage with consent.
2. I find no substance in this Writ petition. Respondent nos. 6-1 and 6-2 herein had filed an application Exhibit 42 for impleading them as party defendants in the pending suit. The petitioner/plaintiff had instituted the suit for declaration of 1/3rd share of the petitioner/plaintiff and as per the Hanafi law of inheritance with consequential prayers. According to the petitioner/plaintiff, one Siddi Habbas Khan was the original Muntaquab holder and the lands were granted to him by the ex-Nizam of Hyderabad under Muntaquab No. 54 in 1293 F

alongwith other lands including the suit land. The said Siddi Habbas Khan died leaving behind him only one son, namely, Siddi Abdulla Khan who became the owner of all the lands including the suit land. The plaintiff is claiming share in the suit land as the legal heir of said Siddi Abdulla Khan. Learned Judge of the trial court in the impugned order has observed that respondent nos. 6-1 and 6-2 are also the legal heirs of Siddi Khaja Moinuddin Khan Siddi Abdulla Khan and they are the necessary parties in the suit. In view of the same, I find no fault in the order passed by the trial court. The Writ Petition is hereby dismissed and accordingly disposed off.

(V. K. JADHAV, J.)

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