

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****INTERIM APPLICATION NO. 1257 OF 2021****IN****SECOND APPEAL NO. 275 OF 2020**

Shri. Mahadu Rakhmaji Undre and Ors.

... Applicants.

In the matter between :-

Shri. Mahadu Rakhmaji Undre and Ors.

... Appellants.

V/s.Green Fields Partnership Firm Pune
Through Partners Shriniwas G. Desai
(Since deceased through Lrs.)

a) Indira Shriniwas Desai and Ors.

... Respondents.

Mr. Balasaheb G. Ligade, Advocate for Applicants.

Mr. S. S. Aradhye, Advocate for Respondent Nos.1B, 2 to 5.

Mr. Y. Y. Dabke, A.G.P. for Respondent No.10-State.

CORAM : A.S. GADKARI, J.**DATE : 29th October, 2021.****PC. :**

1. This is an Application for impleading Respondent Nos.10 and 11 as a necessary party in the present Appeal.

2. Learned counsel appearing for the Applicants/Appellants submitted that, during the pendency of the present Appeal, the proposed Respondent Nos.10 and 11 are in process of acquisition of suit property and releasing the compensation in favour of Respondent Nos.1 to 9 and therefore

proposed Respondent Nos.10 and 11 are necessary party to the present Appeal.

3. Learned counsel for the respective parties have no serious objection in allowing the present Application.

4. In view thereof and for the reasons stated in the Application, Application is allowed in terms of prayer clause (b).

Necessary amendment in Second Appeal and pending Application if any, be carried out within a period of three weeks from today.

5. As far as prayer Clauses (c) and (d) are concerned, the Applicant/Appellants are granted liberty to file a separate Application in that behalf.

6. Application is allowed in the aforesaid terms.

[A.S. GADKARI, J.]

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