

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION NO. 1258 OF 2021

IN

SECOND APPEAL NO.174 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 Anant Gururao Desai
(Since deceased through Lrs.)

a) Shobha Santosh Hejmadi and Ors. ... Respondents.

Mr. Balasaheb G. Ligade, Advocate for Applicants.

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

Mr. Y. Y. Dabke, A.G.P. for Respondent No.9-State.

CORAM : A.S. GADKARI, J.

DATE : 29th October, 2021.

PC. :

1. This is an Application for impleading Respondent Nos.9 and 10 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.9 and 10 are in process of acquisition of suit property and releasing the compensation in favour of Respondent Nos.1 to 8 and therefore proposed Respondent Nos.9 and 10 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 Applicants /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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