

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL REVISION APPLICATION NO. 101 OF 2021

Mangala Parashram Hiray Applicant

Vs.

Ashwini Ishwar Gawali Respondent

Mr. Rohan R. Sonawane for Applicant

Coram : NITIN W. SAMBRE, J.

Date : 4TH AUGUST, 2021

P.C.:

1. In a Suit for recovery of amount based on settlement being Special Civil Suit No. 474 of 2021, vide impugned order passed on 3rd March, 2021 below Exhibit 20, son of the Petitioner and brother of the Plaintiff/Respondent is permitted to be impleaded as proper party.

2. The order impugned is questioned on the ground that the application, Exhibit 20 ought not to have been granted particularly when the Petitioner in part has settled the claim raised in the suit and one of

the property in a suit is already gifted to the proposed party to be added.

3. I see no justifiable reason, which warrants interference in extra ordinary jurisdiction particularly when in an earlier suit, the son was a party, in which the settlement claimed to have been arrived at between the Plaintiff-daughter and the Petitioner father.

4. That being so, the impleadment of son as has been ordered below Exhibit 20 appears to be justified. No case for interference is made out. The Civil Revision Application is dismissed.

(NITIN W. SAMBRE, J.)