

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

905 CIVIL APPLICATION NO. 1372 OF 2021 IN SA/347/2007

VAIJINATH JOTI KHURUNGE DECEASED
LRS. LAXMI VAIJINATH KHURUNGE AND OTHERS
VERSUS
RAMU NARAYAN JEKATE AND ANOTHER

...
Advocate for Applicants : Mr. S.M. Kulkarni
Advocate for Respondents : Mr. Nitin Jagadale h/f. Mr. V.D. Salunke
...

CORAM : MANGESH S. PATIL, J.

DATE : 5TH JANUARY, 2022

PC :

1. Heard the learned Advocate for the applicants.
2. Leave granted to amend the prayer. Amendment to be carried out forthwith.
3. By way of this Application, leave is sought to challenge the sale deed executed by respondent no. 2 - Jijabai Ramu Jekate in favour of a third person, namely, Ashok Ramkrushna Dhavan and to add him as a party respondent.
4. Prima facie, the property involved in the litigation is survey no. 90/B and the sale deed shows that a portion thereof has been sold by respondent no. 2 - Jijabai by a registered sale deed dated 05-11-2020. However, though, a request for impleading the purchaser as a party, is innocuous, the further relief being claimed of seeking a

declaration regarding the sale being void, is merely consequential and cannot be allowed to be added.

5. The Application is partly allowed. Purchaser - Mr. Ashok Ramkrushna Dhavan is allowed to be added as respondent no. 3.

6. Application is disposed of.

[MANGESH S. PATIL, J.]

arp/