

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO.6934 OF 2022

**YAMUNABAI KACHRU JAWALE
VERSUS
LOCHANABAI KACHRU JAWALE AND OTHERS**

...
Advocate for Petitioner : Mr. Rakesh C. Bramhankar h/f. Mr. N. L. Jadhav

...

CORAM : MANGESH S. PATIL, J.

DATED : 06 JULY 2022

PER COURT :

Heard the learned advocate for the petitioner.

2. The respondent nos.1 to 6 have filed an application under Bombay Regulation Act, 1827. The petitioner appeared in the matter and submitted an application (Exh.13) praying for being added as a respondent no.3. By the order under challenge the application has been rejected.

3. Considering the procedure to be followed by the court while deciding the applications under section 2 of the Bombay Regulation Act, 1827, the objections are invited by publishing notice and issuing citations. Anybody who intends to raise an objection is entitled to approach the court and participate in the inquiry. If the petitioners are intending to oppose the application, they are entitled to do so.

4. However, over and above filing of the objection, even a request is made by her to be added as respondent no.3. Considering the nature of the proceeding it is absolutely irrelevant as to in what capacity the petitioner participates in the inquiry. If she intends to raise some objection, she is entitled to do so and the court would be legally obliged to consider that objection while deciding the application. That can happen even without adding her as a party in the title of the application. It is absolutely redundant.

5. With these observations, keeping open the avenue for the petitioners to raise whatever objection she intends to raise, the writ petition is disposed of.

(MANGESH S. PATIL, J.)

Tandale/-