

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

WRIT PETITION NO.8945 OF 2022

**MOHAMMED RAZI UDDIN MOHAMMED NAZIR UDDIN
VERSUS
RAMA DASHRATHA JADHAV DIED THROUGH LRS SUBHASH RAMA
JADHAV AND OTHERS**

...
Advocate for Petitioner : Mrs. Asfia Nuzhat Ansari
Advocate for Respondent No.1/1 : Mr. S. V. Natu
...

CORAM : NITIN B. SURYAWANSHI, J.

DATE : 23rd SEPTEMBER, 2022

PER COURT :

1. Order dated 06/07/2022, passed by learned Civil Judge Senior Division, Nanded below Exhibit-629 in Regular Civil Suit No.1007/1989, is questioned by petitioner.
2. By the said application, petitioner/original defendant No.5/1/3, who have filed counter claim, applied for addition of Commissioner, Nanded Waghala City Municipal Corporation Nanded and Deputy Superintendent of Land Records, Nanded, as defendant Nos. 14 and 15 in the proceedings.
3. Trial Court has rejected the application observing that as defendant Nos. 1 and 2 applied for permission and sanction of lay-out, the said application has been filed. In application filed by petitioner, it is not mentioned as to why proposed defendants are

necessary parties. No corresponding amendments are sought in the pleadings and prayer clause and therefore, trial Court has rejected the application.

4. A similar application filed by plaintiff is rejected by trial Court and the said order was challenged by plaintiffs in Writ Petition No.8905/2022. This Court has rejected the petition. For the reasons stated in the said order, present petition also deserves to be dismissed.

5. In the result, writ petition is dismissed. It is, however, made clear that in case of subsequent developments, petitioner may file appropriate application, if so advised.

(NITIN B. SURYAWANSHI, J.)