

R.M. AMBERKAR
(Private Secretary)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 5039 OF 2022

Chandrakant Appa Padalkar

.. Petitioner

Versus

Shahabai Govind Mane (since deceased)
through Sajabai Mahadeo Devadkar & Ors.

.. Respondents

.....

- Mr. Prathamesh B. Bhargude for Petitioner
- Mr. Abhishek Nandinath a/w Mr. Umesh Mankapure for Respondent No. 2

.....

CORAM : MILIND N. JADHAV, J.

DATE : NOVEMBER 28, 2022

P.C.:

- 1.** Heard.
- 2.** Perused the order dated 21.11.2022.
- 3.** Mr. Nandinath, learned Advocate for Respondent No. 2 has placed on record copy of the sale deed dated 01.02.2018 in favour of Balutai Kundalik Padalkar pursuant to which mutation entry No. 1322 has been effected without notice to the Petitioner. The sale deed is taken on record and marked "X" for identification.
- 4.** In view of the above, order below Exh. 155 passed by learned trial Court which is impugned in the present petition is quashed and set aside. The application moved by Plaintiff under Order 6 Rule 17 of C.P.C. for seeking amendment and impleadment of Balutai Kundalik Padalkar stands allowed.

5. Trial Court shall permit the Plaintiff to carry out necessary amendment within a period of two weeks from today. Copy of the amended plaint shall be served on the Defendants.
6. Writ Petition stands disposed of with aforesaid directions.

[MILIND N. JADHAV, J.]

RAVINDRA
MOHAN
AMBERKAR

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by RAVINDRA
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2022.11.29
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