

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION 6120 OF 2022

Vishwa Vision Ventures Developers and
Agriculture Pvt. Ltd.

..Petitioner

V/s.

Mrs. Shivani Sanket Yeole

..Respondent

Mr. S.C. Vakankar for the Petitioner.

CORAM : ROHIT B. DEO, J.

DATE : 8 JUNE 2022

P.C.

1. In view of the limited grievance in the petition, and the order which I propose to make which is not likely to affect the Respondent, notice to Respondent is dispensed with.

2. The Petitioner is the plaintiff in Special Civil Suit 86 of 2021 which is brought against the Respondent for decree of Specific Performance.

3. The Petitioner-Plaintiff preferred an application under Order VI Rule 17 of the CPC and separate Application under Order I Rule 10 of CPC seeking impleadment of third party Smt. Vaishali Vijay Keluskar on the premise that after the institution of

SNEHA
NITIN
CHAVAN

Digitally signed
by SNEHA
NITIN CHAVAN
Date: 2022.06.09
10:42:42 +0530

the suit, she has acquired share and interest in the suit property. The Plaintiff has also filed application seeking interim relief.

4. The grievance of the Plaintiff is that the Court has refused to issue notice to Smt. Vaishali Vijay Keluskar-Third party and vide order dated 14.03.2022 has directed the Plaintiff to disclose the provision under which the Plaintiff is seeking issuance of notice.

5. While it is difficult to comprehend what has weighed with the learned Trial Judge, in the interest of observing restraint, I make no further observation.

6. Suffice it to observe, that the petition can be disposed of by directing the learned Trial Judge to decide the application under Order I Rule 10 of CPC preferred by the Plaintiff, after issuing notice to the Third Party and hearing the Third Party, as expeditiously as possible and in any event, within two weeks from the date of production of this order.

7. The petition is disposed of in the aforestated terms.

(ROHIT B. DEO, J.)