

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.8212 OF 2019

Parvati Vishnu Kadam and Ors.

..Petitioner

Versus

Kamal Kaluram Kokate and Ors.

..Respondents

Mr. Kuldeep Nikam a/w Mr. Prasad Avhad, for the Petitioner.

CORAM : NITIN W. SAMBRE, J.

DATE : 4th FEBRUARY, 2022

PC.

1. The prayer for impleadment as third party to the suit is rejected vide impugned order.

2. In response to the Court's query, Mr. Kuldeep Nikam informs that since the property is recently included in the limits of municipal area of Pune Municipal Corporation, the petitioner and the developer intend to move for getting sanction from the planning authority.

3. Once such sanction is awarded, in my opinion, it shall be open for the petitioner to approach the Court below seeking impleadment, as it is brought to my notice that the joint development agreement between the defendants to the suit, the petitioner and the developer is entered and registered.

4. As such, the petition stands disposed of as withdrawn.

5. The petitioner shall be at liberty to approach afresh before the Court below subject to compliance of the above i.e. sanctioning of development/construction plan on the suit property by Pune Municipal Corporation.

[NITIN W. SAMBRE, J.]