

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

Writ Petition No. 1168 of 2021

[Naresh Dhanumal Jivanani ..vs.. Washim Taluka Sahakari Shetki Kharedi Vikri Santha Maryadit,
Washim through its President and ors.]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. M. G. Sarda, Advocate for the petitioner
Mr. J. B. Gandhi, Advocate for respondents 2 and 3

CORAM : ROHIT B. DEO, J.

DATED : 28-2-2022

The petitioner is assailing the order dated 8-1-2020 rendered by the Joint Civil Judge Junior Division, Washim in Execution Case 2/2015 whereby the application preferred by the petitioner seeking impleadment is rejected.

2. It would not be necessary to delve deeper in narrative and counter narrative since the learned counsel for respondent 3, whose impleadment the petitioner – decree holder sought, has no objection if the application is allowed and he is impleaded in the execution case.

3. In view of the consent accorded by respondent 3, the petition is allowed in terms of prayer clauses (i) and (ii) which reads thus :

“(i) Allow the present petition and by issuing appropriate writ or order quash and set aside

the order dated 08/01/2020 passed by Joint Civil Judge Junior Division, Washim in Regular Execution Case number 02/2015 (Annexure-9);

(ii) Allow the application filed by the petitioner in Regular Execution Case number 01/2015 for addition of party (Annexure-7) before 3rd Joint Civil Judge Junior Division, Washim and petitioner be permitted to join respondent number 3 as judgement debtor in the said execution Case;”

4. The parties shall appear before the executing Court on 7-3-2022.

JUDGE

wasnik