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C.M.P.No.5655 of 2022
in A.S.No.504 of 2013

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D.BHARATHA CHAKRAVARTHY, J.

This Application is filed to transpose the first appellant, trustee, as the sixth respondent in the Appeal Suit. Originally, two trustees, representing Sadhu A.N. Sircar Foundation, were shown as the first and second appellants. However, now, in the Application, it is pleaded that serious differences have arisen between both the appellants and therefore, the second appellant prays that the first appellant be transposed as the sixth respondent. Convenience

2. However, it is seen that different Counsels have already come on record for both the appellants. Therefore, they can argue the matter pursuing their own interest and their *inter se* disputes can also be taken care to the extent within the scope of the appeal at the time of final hearing of the Appeal Suit and while deciding the Appeal Suit, the issue can be resolved simultaneously and at this stage, when the Appeal Suit is of the year 2013 and when the matter is ripe for



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final hearing, it is not necessary to transpose the first appellant as the sixth respondent.

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grs

3. Accordingly, this Civil Miscellaneous Petition in C.M.P.No.5655 of 2022 is disposed off.

29.11.2022

(1/2)

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