

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.5665 OF 2022**

Suresh S. Gangji	...Petitioner
Versus	
Jayshri M. Gavai & Ors	...Respondents

Mr. Hrishikesh S. Shinde or the Petitioner.
Mr. Samir A. Kumbhakoni for the Respondent.

CO RAM	:	N. R. BORKAR, J.
DATE	:	4 SEPTEMBER 2023.

PC:-

1. In a Suit filed by the respondents/landlords for eviction and possession, the petitioner herein, who is defendant in the said Suit filed an application Under Order 1 Rule 10 of the Code of Civil Procedure that his mother and sister are necessary parties to the Suit as his father was original tenant and after his demise they all became tenant.

2. By the order impugned, the learned trial Court rejected the said application.

3. Instead of taking the defense of non-joinder of necessary parties, the petitioner appears to have filed wholly misconceived application under Order 1 Rule 10 of the CPC. Therefore, no interference is called for in the impugned Order. The Petition is dismissed.

(N. R. BORKAR,J.)