

SA Pathan

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

WRIT PETITION NO.4356 OF 2018

Bhagwan Rajaram More & Ors.

... Petitioners

V/s.

Gajanan Hendra More & Ors.

... Respondents

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Mr. Rajesh S. Jadhav, for Petitioners.

Mr. Rajesh S. Datar, for respondents.

CORAM : AMIT BORKAR, J.

DATED : OCTOBER 11, 2023

P.C.:

1. By the impugned order the Trial Court allowed the application of respondents contending them to be co-sharer in a suit for partition.
2. The Trial Court allowed the application under Order 1, Rule 10 of the Code of Civil Procedure, 1908 filed by person contending them to be co-sharer in the suit property, whether they are co-sharer that issue needs to be conclusive adjudication during suit. Hence, there is no error of jurisdiction committed by the Trial Court by allowing such applicant. Hence, the writ petition is, therefore, dismissed. No costs.

(AMIT BORKAR, J.)