

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

INTERIM APPLICATION No. 999 OF 2023

VAISHALI
ANIL
TIKAM

IN

WRIT PETITION No. 730 OF 2002

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Madhukar Ganapati Potdar

Decd Thr. Lrs.

a) Smt. Madhavi Madhukar Potadar

and Ors.

..Applicants

In the matter between

Late Vatsala Ganpati Potdar

Decd. Thr. Lrs.

..Petitioner

Vs.

The Special land Acquisition

Officer No. 12 and Ors.

..Respondents

Mr.Anand S. Patil, Advocate for the Applicants

Mr. V.B. Rajure, Advocate for the Petitioner

Mrs. M.S. Bane- AGP for Respondent Nos. 1 to 3

**CORAM:- R.D. DHANUKA &
M.M. SATHAYE, JJ.**

DATE :- 10TH FEBRUARY, 2023.

P. C.:

1. Learned counsel for the Applicants seeks leave to amend the prayer clause (a) of the Application. Leave granted.

Amendment to be carried out within two weeks from today. Re-verification is dispensed with. He further submits that at this stage, he is not pressing prayer clause (b) in the application.

2. This application is filed by the Applicants-Intervenor seeking direction of this Court to implead them as petitioners in the present Writ Petition. It is the case of the Applicants-intervenors that in the partition among the family, as recorded in deed dated 18th February, 2022 and the order is passed by the Tahasildar Kagal dated 2nd March, 2022, the subject matter of this Petition, i.e. Land Gat No. 126-B, situated at Village Kapashi, Tal. Kagal, Dist. Kolhapur has been allotted to the share of present intervenors.

3. We have heard Mr. Rajure, learned counsel for the Original Petitioners . He admits to the said allotment of the subject matter land in favour of the present Intervenor in partition. Learned counsel for the Petitioner, on instructions, submits that he has no objection if the intervenors are substituted in the place of Petitioners.

4. Hence the following order is passed.

Order

- (i) Interim Application is allowed.
- (ii) The intervenors stand substituted in the place of the Petitioners in Writ Petition No. 730 of 2002. Necessary amendment be carried out by the Applicants/intervenors within two weeks from today.
- (iii) Interim application is disposed of in the aforesaid terms.

(M.M. SATHAYE, J.)

(R.D.DHANUKA, J.)