



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

**CIVIL APPLICATION (CAS) NO. 1327/2023**

**IN**

**SECOND APPEAL NO. 264/2007**

Dr. Smt. Sushmit W/o Shishir Shrivastava and another

Vs.

Shri Sadashiv S/o Marotrao Ghormade

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

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Shri Abhishek Kapoor, Advocate h/f V.A. Bramhe, Advocate for appellants  
Shri N.A. Padhye, Advocate for respondent No.1

**CORAM : SMT. M.S. JAWALKAR, J.**

**DATE : 10/10/2023**

Present application is filed for permission to intervene in the instant appeal and to be added as a party to the second appeal.

2. Learned Counsel for appellants have no objection to grant this application.

3. It is submitted that previously appellant No.1 is legal owner of entire plot No.1 and part of the plot No.2, in Nagsen Housing Cooperative Society, Nagpur, having purchased the same from the appellant No.2.

4. The applicant is the legally wedded husband of the appellant No.1. Now they are divorced and live their separate life. The said divorce was granted on 24/08/2017.

5. As per the terms of settlement the appellant No.1 gifted the suit property to Dr. Shishir Shrivastava i.e. applicant on 18/08/2017 and property came to be mutated in his favour. As such, applicant has stepped in the shoes of appellant No.1. The appellants have no objection, if the applicant is added as a party appellant. As such, application is allowed.

6. Applicant be added as appellant No.3, in the second appeal.

7. Necessary amendment be carried out within a period of two weeks.

8. Two weeks time is granted to take necessary steps to serve sole respondent.

(SMT. M.S. JAWALKAR, J.)