



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

WRIT PETITION NO.5516 OF 2023

(Kisan s/o Sadu Chaple Vs. Gangabai Sadu Chaple and others)

*Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's Orders.*

Court's or Judge's orders.

Ms. Kirti Satpute, Advocate for Petitioner.

CORAM: ANIL S KILOR, J.

DATE: 4th SEPTEMBER, 2023.

The application for addition of parties came to be rejected vide impugned order dated 30.06.2023, the same is under challenge in the present writ petition.

2. The learned counsel for the petitioner points out from the written statement of defendant No.1 that in respect of Survey No.97 area admeasuring 0.86 HR, one Sadhu alleged to have executed a sale-deed against Sau. Maya w/o Tatoba Chaple, defendant No.3 and therefore, she is a proper party to the suit for adjudication of certain issues.

3. Admittedly, the suit is for partition and the petitioner No.1 is defendant No.1 who has referred the said sale-deed in the written statement. In the circumstances, nothing has been pointed out that how wife of defendant No.3 Maya is necessary and proper party to suit the suit.

4. Hence, I do not find any error committed by the

learned Trial Court in passing the impugned order. Accordingly, the writ petition is dismissed.

(ANIL S. KILOR, J.)

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