

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

Writ Petition (WP) No. 6766 of 2022

Anil S/o Khindulal Chauragade

Versus

Smt. Kamaltai Wd/o Shridhar Wargantiwar and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri U.K.Bisen, Advocate for the petitioner.

Shri V.N.Vastani, Advocate for the respondent nos.2 and 3.

CORAM : ANIL S. KILOR, J.

DATED : 24th APRIL, 2023.

As the mutation entries have already been carried out as regards the suit property, the present writ petition has become infructuous.

2. However, considering the apprehension expressed by the learned counsel for the petitioner that on the basis of mutation entries, the respondent may create third party interest in the suit property, I am of the opinion that the purpose would be served if the appeal is expedited and the directions are issued to the respondents that whenever the intent to create third party interest, they shall apply for permission from the learned lower Appellate Court. Accordingly, I pass the following order.

i. Writ petition is disposed of as infructuous.

ii. If respondent nos. 2 and 3 want to create third party interest, they shall apply for permission to the learned lower Appellate Court.

iii. The learned lower Appellate Court is directed to decide the appeal within four months from today.

[ANIL S. KILOR, J.]

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