

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

WRIT PETITION NO.295/2023

Pawanputra Janjivan Samasya Bhumivikas Sanstha, Nagpur through its
President Shri Suresh Gulabrao Chaudhari

...Versus...

Shri Mohammad Rafique Sheikh Mohammad through his Power of Attorney
Holder Shri Maksood Shah Yusuf Shah and others

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

Court's or Judge's orders

Shri S.S. Sitani, Advocate for petitioner

CORAM : AVINASH G. GHAROTE, J.

DATE : 18/01/2023

1. Heard Shri S.S. Sitani, learned counsel for the petitioner. The petition challenges the order dated 22/11/2022 below Exh.80 under Order 1 Rule 10 of the Code of Civil Procedure for addition of the petitioner as a party defendant to the suit between the respondents *inter se*. The only ground raised is that the plaintiff and defendants are the members of the applicant/Society and are quarreling regarding the entitlement to plot No.124. That by itself cannot be said to be a reason for terming the petitioner as a proper or necessary party.

2. At this stage, learned counsel for the petitioner, on instructions, seeks to withdraw the petition.

3. Statement is accepted. The writ petition is dismissed as withdrawn. No order as to costs.

(AVINASH G. GHAROTE, J.)

Wadkar