

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

**22 CIVIL APPLICATION NO. 5365 OF 2024
IN SA/163/2023
WITH
SECOND APPEAL NO. 163 OF 2023**

NITIN GOVIND AMRUTKAR
VERSUS
SHRI NARESH KANAKKUMAR DOSHI

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Mr. Thoke Dhananjay B, Advocate for Applicant
Mr. S. V. Suryawanshi, Advocate for Appellant in SA.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 18/06/2024.

P. C. :

1. Heard rival submissions.
2. The learned counsel for the applicant submits that during the pendency of appeal the present applicant has purchased the suit property and therefore, the applicant is necessary party to the appeal. He also submitted that the matter is settled between the parties and for the purpose of recording compromise between them, the impleadment of applicant-firm is necessary.
3. On the contrary, the learned counsel for respondent No.1, who is the original appellant, submitted that the present applicant-firm has purchased the suit property despite there being an injunction application. However, he admitted that there is settlement between the parties. As such, without prejudice to the

right of respondent No.1- appellant, the application stands allowed in terms of prayer clause-B and disposed of accordingly.

4. The appellant – respondent No.1 is directed to carry out the amendment within stipulated period.

5. List Second Appeal No.163 of 2023 on 02/07/2024.

(SANDIPKUMAR C. MORE, J.)