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

**918 CIVIL APPLICATION NO. 1574 OF 2024
IN SA/289/2017**

TRIVENIBAI NAMDEV KHAIRE

....Applicant

VERSUS

GOPAL NARAYAN KASPATE AND ORS

.....Respondents

Mr. G. L. Deshpande, Advocate for the applicant

Mrs. Rekha Choudhari, Advocate h/f Mr. S. S. Chodhary,
Advocate for respondent No.1

Mr. B. N. Patil, Advocate for respondent No.2

CORAM : KISHORE C. SANT, J.

DATE : 01st AUGUST, 2024

P. C.

1. This application is for intervention in the appeal. It is stated in the application that present applicant has interest in the property as she is owner and having some share in the suit property being a daughter of one Narayan.

2. The learned advocate for the appellant and learned advocate for the respondent in the appeal vehemently opposed

the application stating that the applicant has no right in the suit property. It is pointed out that suit was filed by defendant No.3 in RCS No. 100/2012. That suit was dismissed. Counter claim of defendant No.3 i.e. present applicant also came to be dismissed with costs. Thus it is held that the present applicant has failed in her counter claim in the said suit. A specific plaint was made as to whether this decree was challenged by the applicant. It is seen that decree dated 16-02-2012 passed in RCS No.100/2012 is not challenged. Thus it is clear that present applicant has not taken any steps challenging the said judgment and thus accepted the findings which are recoded in the said judgment.

3. In view of the same, this court finds that the application is totally misconceived. No right is pointed by the applicant in the present appeal and suit property. The application therefore, stands rejected and disposed off. No order as to costs.

[KISHORE C. SANT, J.]