

Esha

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO.288 OF 2024

GAJANAN ALIAS GANOPOTI SHANKAR
SAWANT AND ANR

... PETITIONERS

Versus

SUHASINI RAWALNATH SAWANT AND 13
ORS

... RESPONDENTS

Mr. Preetam Talaulikar, Advocate for the Petitioners.

CORAM:- AVINASH G. GHAROTE, J.

DATED :- 19th March, 2024

P.C.

Heard Mr. Talaulikar, learned Counsel for the Petitioners.

2. The Petition challenges the order dated 20.01.2024, passed by the learned Trial Court below Exhibit-20, by which, an Application for intervention has been allowed.

3. Learned Counsel for the Petitioners submits that by the impugned order, the learned Trial Court has as good as held the Intervenor, entitled to partition, on account of which the impugned order cannot be sustained.

4. It is not in dispute that the Intervenor is the sister of the parties to the suit, which is a suit for partition. This being the admitted

position, a suit for partition, whatever be the allegation, regarding the purchase of the property and the source of funds, cannot be decided in the absence of the Intervenor, who is admittedly the sister of the parties to the suit. I, therefore, do not see any reason to interfere with the impugned order. The Petition is dismissed. No costs. Needles to say that the suit shall be decided on its own merits.

AVINASH G. GHAROTE, J.

ESHA SAINATH
VAIGANKAR

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