

VRJ

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.10658 OF 2024

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Shrinivas Shankar Deshpande & Ors. ... Petitioners

V/s.

Jayant Anand Sathe & Ors. ... Respondents

Ms. Pranita P. Hingmire for the petitioners.

CORAM : AMIT BORKAR, J.

DATED : AUGUST 13, 2024

P.C.:

1. The petition is filed by decree holder challenging order passed by the executing Court to add third parties who acquired rights in the suit properties during pendency of execution.
2. In view of judgment in the case of **Silverline Forum Pvt. Ltd. vs. Rajiv Trust and Anr.** reported in (1998) 3 SCC 723, it is well settled that the persons who have acquired right, title and interest in the properties covered by decree, get no right to resist the decree. Therefore, the decree shall bind the third party purchasers. Hence, by clarifying that the third party purchasers shall be bound by the decree, no interference in the impugned order is called for.
3. The writ petition is, therefore, dismissed. No costs.

(AMIT BORKAR, J.)