

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO. 11731 OF 2014

Namdeo Ganpat Kalbhor And Ors. ...Petitioners
Versus
Namdeo Rajaram Kadam And Ors. ...Respondents

**WITH
INTERIM APPLICATION NO.10344 OF 2024
WITH
INTERIM APPLICATION NO.10342 OF 2024
WITH
INTERIM APPLICATION NO.10343 OF 2024
IN
WRIT PETITION NO. 11731 OF 2014**

Bajirao Ganpat Kalbhor and Anr. ...Applicants

IN THE MATTER BETWEEN :

Namdeo Ganpat Kalbhor And Ors. ...Petitioners
Versus
Namdeo Rajaram Kadam And Ors. ...Respondents

**WITH
WRIT PETITION NO. 11730 OF 2014**

Tukaram Dagdu Sonawane ...Petitioner
Versus
Namdeo Rajaram Kadam And Ors. ...Respondents

....

Mr. Sandeep Pathak, for the Applicant in Interim Application
Nos.10342/2024, 10343/2024 & 10344/2024.

Mr. Pankaj J Das for the Petitioners in WP No.11730/2014. &
11731/2014.

Mr. Sugandh B. Deshmukh for Respondent Nos.1 to 3.

Mr. Rushikesh C. Barge for Respondent No.5 in WP No.11731/2014.

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CORAM : AVINASH G. GHAROTE, J.
DATE : 15th JULY, 2024

P.C.:

INTERIM APPLICATION NO.10344 OF 2024

1. The application seeks to bring on record the legal heirs of deceased Namdeo Ganpat Kalbhor as petitioner No.1a and 1b and also for adding petitioner Nos. 4(a) to 4(e) and 5(a) to 5(m) as petitioners.

2. Learned counsel for the respondents have no objection, considering which, Interim Application No.10344 of 2024 is allowed. The addition be carried out forthwith.

INTERIM APPLICATION NO.10342 OF 2024

3. The application seeks to bring on record the legal heirs of deceased, Respondent No.1 Namdeo Rajaram Kadam as respondent Nos.1a to 1f. The learned counsel for respondents have no objection, considering which the Interim Application No.10342 of 2024 is allowed.

4. The proposed respondents be brought on record as respondent Nos.1a to 1f. The addition be carried forthwith. Mr. Sugand Deshmukh, learned counsel waives notice for added Respondent Nos. for 1a to 1f.

INTERIM APPLICATION NO.10343 OF 2024

5. This application seeks to add M/s. Smart Vision Private Limited as respondent No.5, as it is contended that the matter is settled between the parties and the proposed respondent No.5 has acquired the property, which is the subject matter of the petition. In view of this, leave is granted to add respondent No.5 as party respondent. The amendment may be carried out forthwith. Mr. Rushiksh Barge, learned counsel appears and waives notice for added respondent No.5.

6. This application also seeks deleting the respondent Nos. 4(a) to 4(e) on the ground, that they have waived their rights in the subject property in favour of the respondent Nos.1 2 & 3. Accepting the statement, the respondent Nos.4(a) to 4(e) are deleted at the risk and consequence of the petitioner. Interim Application No.10343 of 2024 is allowed in aforesaid terms.

7. List the matters on 16th July, 2024, as the learned counsel seeks to place consent terms on record for disposal of the petitions.

(AVINASH G. GHAROTE, J.)