



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.507 OF 2024

Ghanshyamdas Babulal Sahu and others .Vs. Shaikh Farhan Sk. Ayub and others

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri V.S. Giramkar, Advocate for petitioners.

Shri Mohammad Ateeque, Advocate for respondent.

CORAM : ANIL S. KILOR, J.

DATED : 01/02/2024

1. The application for addition of parties under Order 1 Rule 10(2) of the Code of Civil Procedure filed by the petitioners in a suit for specific performance namely Special Civil Suit No.200177 of 2012 filed by the respondent No.1 came to be rejected, which is the subject matter of the present writ petition.

2. It is the case of the petitioners that, there was an agreement to sale relating to the suit land which was prior in time and in a suit for specific performance, the petitioners failed upto the first appellate Court and presently, the second appeal is pending wherein this Court has framed substantial questions of law.

3. The above stated reasons are not sufficient to hold the petitioners as necessary party or proper party in the matter at hand.

4. In that view of the matter, I am of the opinion that, there is no merit in the present petition as no error committed by the learned trial Court to reject the application. Accordingly, the writ petition is **dismissed**.

JUDGE