



CMP(MD).No.17093 of 2023 in
SA(MD).No.891 of 2014

MUMMINENI SUDHEER KUMAR, J.

This petition is filed to implead the petitioner herein as 3rd appellant in SA(MD).No.891 of 2014.

The petitioner herein, who is the daughter of the 2nd respondent, came on record as LR of the deceased 2nd appellant in the main Second Appeal being the LRs of the deceased of the sole appellant. The petitioner herein claiming to be LR of the deceased sole appellant by virtue of sale deed, dated 06.11.2015 filed this application to come on record as 3rd appellant in the main appeal.

The counsel for the 2nd respondent also categorically submitted that the 2nd respondent herein, who is the 2nd appellant in the main Second Appeal has no objection for the petitioner herein coming on record as 3rd appellant based upon the Will, dated 06.11.2015 stated to have been executed by the sole appellant. As the claim of the petitioner herein is to come on record as LR of the deceased sole appellant and one of the LRs ... the appellant who is already on record in the Second Appeal has not objection for the petitioner herein to come on record as 3rd appellant in the



main Second Appeal. The other respondents cannot be said to have no objection or the same would cause any prejudice to them.

However, the learned counsel appearing for the 3rd respondent herein contended that the Will has to be proved in the manner known to law and then, only the petitioner came on record.

This Court carefully considered submissions.

The petitioner herein claiming to be necessary party the interest of the deceased sole appellant based upon the registered Will. The third respondent herein is necessary claiming to be the LR or the person interested in the estate of the sole appellant.

In the circumstances, the 3rd respondent cannot be said to have any grievance for giving objection for allowing this application.

In the circumstances, this Court is inclined to order this petition and accordingly, this petition is ordered and the petitioner herein is impleaded as 3rd appellant in the main appeal.



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MUMMINENI SUDHEER KUMAR, J.

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4. Registry is directed to carry out necessary amendment in the
cause title.

05.02.2024

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