



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 5663 OF 2024
IN SA/266/2011**

**SHOBHABAI PITAMBAR CHOUDHARI AND ORS
VERSUS
PRABHAKAR NATHU PATIL AND OTHERS**

...

Mr. Ajay G. Talhar, Advocate for Applicants.

Mrs. Khushi Varma h/f Mr. P. R. Katneshwarkar, Advocate for Respondent.

Mr. Vinod P. Patil, Advocate for Respondent Nos.2 and 3.

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**CORAM : S. G. CHAPALGAONKAR, J.
DATED : 17th JANUARY, 2025.**

P.C.:-

1. Heard learned Advocate appearing for the respective parties.
2. By this application, prayer is made to add respondent nos.2 and 3 as party in Second Appeal, since they are purchasers.
3. Mr. Patil, learned Advocate appears for the respondent nos.2 and 3. He admits that respondent nos.2 and 3 have purchased suit property under registered sale deed dated 08.02.2022 and 21.02.2024. Both these transactions have been taken place during pendency of Second Appeal.
4. In that view of the matter, presence of respondent nos.2 and 3 would be necessary.
5. The applicants have also prayed to restrain respondent nos.1 to 3 from creating third party interest in respect of suit property and maintain *status quo* as on date of filing application.

6. Mr. Patil, learned Advocate, on instruction, makes a statement that respondent nos.2 and 3, who acquired ownership under registered sale deed executed by respondent no.1 are not willing to transfer property or create third party interest and in case, any contingency arises, they would do so after permission from this Court.

7. In that view of the matter, application is allowed in terms of prayer Clauses (B) and (C). Amendment be carried out within two weeks from today.

(S. G. CHAPALGAONKAR)
JUDGE

Devendra/January-2025