



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

952 WRIT PETITION NO. 10876 OF 2023

Sulochanabai Gopal Nannavare
VERSUS
Jayshri Dipak Waghmare And Others

...
Advocate for the Petitioner : Mr. Patil (Borse) Paresh B.
Advocate for Respondent No.1 : Mr. Mr. J. V. Patil
Advocate for Respondents No.2 to 6: None Present
...

CORAM : ARUN R. PEDNEKER, J.
DATE : 20th August, 2025

PER COURT :

1. Heard the learned counsel for the petitioner and the learned counsel for respondent No.1.
2. The learned Counsel for the petitioner draws attention to the order passed by the Civil Court in Civil Suit No.269 of 2022, whereby a decree has been passed on the basis of a compromise between plaintiffs No.1 and 2 (the present petitioner and respondent No.6, respectively) and the defendant in the suit (the present respondent No.2), setting aside the relinquishment deed dated 14/02/2011.
3. The learned counsel submits that in view of the changed circumstance, specifically, the setting aside of the relinquishment deed, the present petitioner now asserts a right in the suit property, claiming it to be ancestral property. It is therefore contended that the petitioner is a necessary party to the suit.
4. On the other hand, the learned counsel appearing for the respondents

submits that these are subsequent developments that were not before the Trial Court at the time the impugned order was passed.

5. Both parties jointly submit that liberty may be granted to the petitioner to move a fresh application before the Trial Court for impleadment, and that the respondents may be given the opportunity to oppose the said application on all grounds available in law.

6. In view of the above submissions, the petition is disposed of with liberty to the petitioner to move a fresh application before the Trial Court seeking impleadment in the pending suit, in light of the changed circumstances. The Trial Court shall decide the said application in accordance with law, without being influenced by the present order. It is clarified that the present order shall not operate as res judicata or otherwise obstruct the petitioner from pursuing her remedy.

7. It appears that the suit is pending for a considerable period of time. Both parties have assured the Court that they will co-operate with the Trial Court for expeditious disposal of the matter. The Trial Court to decide the suit as expeditiously as possible.

(ARUN R. PEDNEKER, J.)