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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

VASANT
ANANDRAO
IDHOL

WRIT PETITION NO. 4166 OF 2025

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VASANT
ANANDRAO IDHOL
Date: 2025.03.29
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Aruna Avinash Kaprekar

..Petitioner

V/s.

Suman Rakesh Soni & Ors.

..Respondents

Mr. P. R. Rathod for the Petitioner.

Mr. Manek Kalyaniwalla a/w. Ms. Prapti Shetty & Ms. Pranali
Misal i/b Harshal Damania for Respondent Nos.1 & 2.

Mr. Kapil N. Gor a/w. Mr. Satchit K. Gor for Respondent No.4.

Smt. R. M. Shinde, AGP for Respondent No.5.

CORAM : N.J. JAMADAR, J.

DATE : 25TH MARCH, 2025.

P.C.:-

1. Heard learned counsel for the parties. Respondent Nos.1 and 2 and the plaintiffs in S.C. Suit No.148 of 2023 are already impleaded as party Defendant Nos.7 and 8 in S.C. Suit No.1935 of 2016.

2. Learned counsel for Respondent Nos.1 and 2 and

Respondent No.4 – Developer submitted that the Petitioner be impleaded as a party Defendant in Suit No.148 of 2023 and both the suits i.e. S.C. Suit No.1935 of 2016 and S.C. Suit No.148 of 2023, be heard and decided by the same Court expeditiously.

3. Since the Petitioner herein has instituted S.C. Suit No.1935 of 2016 in respect of the same subject matter, it appears that the Petitioner has a direct interest in the subject matter of the suit.

4. In these circumstances, and in view of the consent of the parties, it may be appropriate to implead the Petitioner as a party Defendant in S.C. Suit No.148 of 2023.

5. The impugned order stands quashed and set-aside.

6. Chamber Summons No.486 of 2024 stands allowed.

7. The Applicant in the Chamber Summons is directed to be impleaded as party Defendant in S.C. Suit No.148 of 2023.

8. The Plaintiff in S.C. Suit No.148 of 2023 shall carry out necessary amendment within a period of one week from today and serve a copy of the amended plaint on the Petitioner. The Petitioner shall file the written statement within 30 days of

being served with the amended copy of the plaint.

9. S.C. Suit No.148 of 2023 stands transferred to the Court seized with S.C. Suit No.1935 of 2016.

10. Learned Judge seized with S.C. Suit No.1935 of 2016 is requested to make an endeavor to hear and decide S.C. Suit No.1935 of 2016 as expeditiously as possible, and preferably within a period of one year from the date of settlement of issues in S.C. Suit No.148 of 2023.

11. The Writ Petition stands disposed.

(N.J. JAMADAR, J.)