



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

927 WRIT PETITION NO.1724 OF 2026

Arun Ganeshrao Vairagar

VERSUS

Future Promise India Ltd.thr Prabhakar Vishwanath Kadam
And Others

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Advocate for the Petitioner : Mr. D.S. Kale

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CORAM : S. G. CHAPALGAONKAR, J.

Dated : February 17, 2026

PER COURT :-

1. The petitioner impugns the order dated 29.9.2025 passed by the learned Joint Civil Judge S.D., Parbhani below application Exhibit-27 in Special Civil Suit no.146 of 2024, by which application filed by defendant/respondent no.3 i.e. HDFC Bank to delete its name from the array of defendants has been allowed.

2. Petitioner is original plaintiff in Special Civil Suit No.146 of 2024. He instituted the suit alleging that he had invested an amount of Rs.34,44,400/- with respondent no.1 on the basis of brochure published by it. Said brochure contains name of two banks namely State Bank of India and HDFC bank as banking partner. According to petitioner, returns on his investments are

not given to him and, therefore, suit has been instituted by him against defendant no.1 as well as the bankers. Respondent no.3 HDFC bank caused appearance before Trial Court and filed an application below Exhibit-27 to strike out its name from the suit contending that it has no concern with defendant no.1 and only on the basis of name depicted on brochure published by defendant no.1, they are added as party. Trial Court accepted contention of respondent no.3 and allowed the application, thereby directing the plaintiff to strike out name of respondent no.3 from the plaint.

3. Learned counsel appearing for the petitioner submits that petitioner was lured to make investment by defendant no.1. The brochure, which was published clearly shows name of Bankers alongwith logo. Therefore, they are rightly added as party in the suit. The trial court observed that plaintiff has not produced the documents to show that defendant no.1 has his account with defendant no.3 or defendant no.3 acted with any intention to induce the plaintiff in order to invest him. In light of aforesaid circumstances, Trial Court observed that there is no reason to proceed against defendant no.3. Perusal of pleadings in plaint suggests that petitioner wants to contend

that respondent no.3 bank has certified defendant no.1 to carry business. However, such statement is not supported by any document on record. There is nothing in the plaint or documents appended to plaint to show that defendant no.3 has any nexus with the business of defendant no.1. Present suit is filed for recovery of the amount. Relief claimed in the suit does not correspond to any activity of defendant no.3.

4. In that view of the matter, discretion exercised by the Trial Court while allowing application Exhibit-27 cannot be faulted with. In result, there is no merit in the writ petition. Writ petition stands **rejected**.

(S. G. CHAPALGAONKAR, J.)

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