



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CIVIL APPLICATION (CAS) NO.283/2026

IN

SECOND APPEAL NO.710/2017

Waman s/o Daulatrao Borkar

...Versus...

Sau. Savita wd/o Haribhau Dhobale

Applicant : Smt. Maya W/o Shyamsundar Agrawal

Office Notes, Office Memoranda of Coram,
appearances, Court's orders or directions
and Registrar's orders

Court's or Judge's orders

Mr. S.P Kshirsagar and Mr. Tushar Bhat, Advocates for appellant
Mr. S.T. Khan, Advocate for applicant

CORAM : ROHIT W. JOSHI, J.

DATE : 13/03/2026

1. The present Civil Application is filed under Order XXII Rule 10 of the Code of Civil Procedure. The applicant claims that she has purchased the suit property from respondent vide registered sale-deed dated 12/05/2015 during pendency of litigation.
2. Sole respondent has expired. The suit is filed for specific performance of contract.
3. In view of the aforesaid, the applicant, who claims to have purchased the property vide registered sale-deed dated 12/05/2015 is entitled to contest the suit, in view of Order XXII Rule 10 of the Code of Civil Procedure, which provides that in case of assignment or creation of interest in the property forming subject matter of the suit, during pendency of the suit, the person in whose favour interest devolves, can be impleaded as party.

4. Civil Application is allowed and disposed of accordingly. Necessary amendment be carried out on or before 30/03/2026.

5. Advocate Mr. Khan waives service of notice for the newly added respondent.

(ROHIT W. JOSHI, J.)

Wadkar