



Posha Joma Mali (Since Deceased)  
Through LRS Manohar Poshali and Ors. .. Respondents

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- Mr. C.G. Gavnekar a/w. Mr. Ashutosh Gavnekar, Advocates for Petitioners.
  - Mr. Pankaj Kawali a/w. Mr. H.G. Dharmadhikari, Ms. Latika S. Phadke, Ms. Pallavi T. Baghel and Mr. Niraj Borate, Advocates for Respondents.

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**CORAM : MILIND N. JADHAV, J.**  
**DATE : FEBRUARY 16, 2026.**

**P.C.:**

1. Heard Mr. Gavnekar, learned Advocate for Petitioners and Mr. Kawali, learned Advocate for Respondents.

2. The *lis* is in respect of entitlement. Petitioners are the obstructionists who have by registered conveyances purchased the property from two of the brothers of the private Respondents. Private Respondents have attempted to execute the decree in partition, but have found the same to be blocked by the obstructionists who claim to have purchased the share of Defendant Nos.4 and 5. Defendant Nos.4 and 5 who are the vendors of Petitioners are not made a party to the present Writ Petitions.

3. The *lis* admittedly is that Defendant Nos.4 and 5 have sold their share in the property to Petitioners. Petitioners have made a request to the Court to allow the Petitioners to retain the property which has been purchased by them to the extent of the share of the

property coming to the share of Defendant Nos.4 and 5. This can only be possible if Defendant Nos.4 and 5 are impleaded and the private Respondents agree to the arrangement. Mr. Kawali alongwith Mr. Dharmadhikar represent the Respondents who are the brothers of Defendant Nos.4 and 5. Without prejudice to their rights and contentions, they have no objection if Defendant Nos.4 and 5 are impleaded and their say is called for, subject to the Respondent's share not been disturbed.

4. In that view of the matter, Mr. Gavnekar would persuade the Court to grant leave to the Petitioner to amend the Petitions and implead Defendant Nos.4 and 5 as private Respondents in the Petitions. Leave is granted in all five Writ Petitions to implead Defendant Nos.4 and 5 as private Respondents alongwith all appropriate consequential amendment to that effect including the amendment in the prayers. Amendment is permitted to be carried out within a period of two weeks from today. Re-verification stands dispensed with.

5. Once the amendment is carried out in the Writ Petitions, copy of the amended Writ Petitions shall be served on all other concerned parties including newly added Defendant Nos.4 and 5 so that they can apprise the Court about their stand qua the claim of the Petitioners on the next date.

6. In the meanwhile, without prejudice to the rights and contentions of the parties, the private Respondents may proceed with reconciliation of their dispute, if possible.

7. Stand over to **9<sup>th</sup> March, 2026**.

[ MILIND N. JADHAV, J. ]

Ajay