



IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

21 WRIT PETITION NO. 304 OF 2019

Shaikh Hasham Shaikh Babamiya And Anr.Petitioners

VERSUS

Shaikh Bashir Shaikh Babamiya And OrsRespondents

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Ms Rani Bharuka, Advocate holding for
Mr. S.S. Bora, Advocate for petitioners
Mr. N.L. Jadhav, Advocate for R.Nos.2,3,13,25
Mr. A.S. Kulkarni, Advocate for R.No.11
Mr. B.G. Londhe, Advocate for R.No.15
Mr. A.R. Muley, Advocate for R.No.21
Mr. S.M. Sangale, Advocate for R.No.16,18,19,20,22,23

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CORAM : SIDDHESHWAR S. THOMBRE, J.

DATE : 8th MAY, 2026

PER COURT :

1. After hearing learned counsel for the petitioners for some time, I find that, while filing the application below Exh.37, the petitioners have not filed any details on what grounds the application was filed. In view thereof, I am inclined to allow this Writ Petition partly by giving liberty to the petitioners to file fresh application giving details.



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2. In the result, the Writ Petition is partly allowed. The order dated 2/8/2018, passed by learned 2nd Jt. Civil Judge, Senior Division, Beed below Exh.37 in Special Civil Suit No.35/2017 is set aside. The petitioners are at liberty to file fresh application by giving details on what grounds the petitioner seeks impleadment of the purchaser as party defendant. If such application is filed, the learned Trial Court to consider the same on its own merits and pass order in accordance with law.

(SIDDHESHWAR S. THOMBRE, J.)

fmp/-