



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

CIVIL APPLICATION (CAS) NO.1210 OF 2025 IN
SECOND APPEAL NO.53 OF 2020

Sushilabai Annaji Kambale .Vs. Smt. Indubai Haribhau Deore and another

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

Court's or Judge's Order

Mr. S.M. Vaishnav, Advocate for appellant/applicant.

CORAM : ROHIT W. JOSHI, J.

DATE : 05/12/2025

1. The present second appeal is admitted by framing substantial question of law. The appellant/applicant has stated that the respondents have sold the suit property to one Devandra Uttamrao Bapat vide registered sale deed dated 14.11.2025. He has placed on record notice issued by the Talathi for effecting mutation entry based on the said sale deed.
2. In view of the above, Civil Application (CAS) No.1210 of 2025 is **allowed**. Permission is granted to add Mr. Devendra Uttamrao Bapat as respondent No.3 in Second appeal No.53 of 2020.
3. Necessary amendment be carried on or before **12.12.2025**.
4. After carrying out amendment in the second appeal, issue notice to the respondent Nos.1 to 3, returnable on **23.12.2025**.

Civil application is **disposed of** accordingly.

CIVIL APPLICATION No.1211 of 2025

1. The Second Appeal is admitted by framing a substantial question of law. During the pendency of the second appeal, the respondent Nos.1 and 2 have sold the suit property to one Devendra Uttamrao Bapat vide sale deed dated 14.11.2025. The said Devendra Uttamrao Bapat is ordered to be added as respondent No.3 in the present appeal vide order dated 05.12.2025 passed in Civil Application (CAS) No.1210 of 2025.

2. The learned Advocate for the applicant draws attention to the joint compromise pursis vide Pusia St. No.02 of 2023. He states that in terms of the joint compromise pursis, the appellant has made payment of Rs.1,50,000/- to the respondent Nos.1 and 2 and has accordingly complied with the terms of the compromise pursis. He further states that despite having received the said amount, the respondent Nos.1 and 2 have retracted from the compromise terms and therefore, the appeal could not be disposed of in terms of the compromise pursis. Having regard to the aforesaid, issue notice to the respondent Nos.1 to 3, returnable on **23.12.2025**.

3. Applicant is directed to serve the respondent Nos.1 to 3 by Speed Post in addition to regular mode of service and file an affidavit of service before the next date.

4. In the meantime, the respondents are restrained from creating any third-party interest in the suit property and are directed to maintain *status quo* with respect to possession over the suit property until further orders

(ROHIT W. JOSHI, J.)

C.L. Dhakate