



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

WRIT PETITION NO. 1652 OF 2026

Kisan s/o Lobha Pawar Vs. Secretary, Gram Panchayat, Dist. Washim and Ors.

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

Court's or Judge's Orders.

Mr. Tejas Deshpande, Advocate for petitioner.

CORAM : PRAFULLA S. KHUBALKAR, J.

DATE : 11.03.2026

Heard learned counsel for the petitioner.

2. By relying on the judgment of the Co-ordinate Bench of this Court, in case of *Ramesh s/o Shanna Kumbhar and anr. Vs. Sudhakar s/o Budha Kumbhar and Ors.*, reported in *2013 (3) ALL MR 196*, learned counsel for the petitioner submits that the impugned order is contrary to the legal position as laid down in this judgment, since the original plaintiff is directed to add a third party to the suit, which is a suit only for seeking injunction.

3. He further submits that the trial Court has passed the impugned order by ignoring the principle of law that plaintiff is the *dominus litis* and cannot be compelled to contest the suit against a third party.

4. In view of this, issue notice to the respondents, returnable after four weeks.

5. The petitioner is permitted to serve the respondents by private mode, in addition to regular mode of service and file affidavit of service in that regard by next date.

6. In the meantime, there shall be ad-interim relief in terms of prayer clause (b).

(Prfulla S. Khubalkar, J.)