

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 9171 OF 2014
IN
WRIT PETITION NO. 8075 OF 2013**

Meer Azar Ali Usmani s/o. Meer
Zulfekar Ali Usmani & others

.. APPLICANTS

VERSUS

Pralhad s/o. Laxman Sherkar
and others

.. RESPONDENTS

...
Mr. Milind K. Deshpande, Advocate for the Applicants
Mr. S.D.Kaldate, APP for Respondent – State
Mr. C.V.Thombre, Advocate for Respondent Nos. 1 to 9
Mr. S.S.Thombre, Advocate for Respondent No.12

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**CORAM : S.S. SHINDE &
A.M.BADAR, JJ.
DATE: 11th February, 2015**

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PER COURT:-

1] Heard. This Civil Application is filed by the Applicants praying therein to allow them to intervene in Writ Petition No.8075/2013 and further to direct the petitioners to implead them as party respondents.

2] Upon perusal of the subject matter involved in the Writ Petition No.8075/2013, and also Writ Petition No. 2063/1998 which is disposed of by this Court on 3rd August, 2010, the applicants' Civil Application deserves to be allowed partly.

3] Since the Applicant Nos. 1 and 2 were party to the earlier proceeding, we allow their application. So far as Applicant Nos. 3 to 5 are concerned, they were not party to the earlier proceedings, and hence, their application cannot be entertained, and hence their application stands rejected.

4] Application is partly allowed and same stands disposed of.

5] The learned counsel appearing for the Petitioners to take immediate steps to add applicant Nos. 1 and 2 as party respondents in the Petition. Amendment be carried out accordingly.

6] The learned counsel appearing for the added parties prays two weeks time so as to enable him to file reply. The learned counsel appearing for the Respondent – Municipal Council also wishes to file reply.

7] On joint request, list Writ Petition No. 8075 of 2013 on 10th March, 2015. Interim relief to continue till then.

Sd/-

[A.M.BADAR, J.]

Sd/-

[S.S. SHINDE, J.]

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