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

WRIT PETITION NO.3080 OF 2015

Sainath Rajendra Damkondwar
and ors.

..PETITIONERS

VERSUS

Koneru Venkat Subbarao
and ors.

..RESPONDENTS

Mr Upendra B. Bilolikar, Advocate for petitioners

CORAM : N.W. SAMBRE, J.

DATE : 18th November, 2015

ORAL ORDER :

The present petition is questioning the order passed by Joint Civil Judge Junior Division, Biloli, below Exh.170, in Regular Civil Suit No.65 of 2006, whereby the prayer of the petitioners for impleading them as co-plaintiffs/intervenors in the suit, came to be rejected.

2. It is the submission of the petitioners that they are the employees of the school of which demolition is sought and questioned in the above referred suit. According to the petitioners, the plaintiffs are likely to settle the matter with the office bearers of the Municipal Council by compromising their status. According to them, as such, to pursue the cause before the judicial authority, in the matter of the school building, the petitioners are the necessary parties. According to the petitioners, the application in the

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above background for impleading them as proper parties should have been allowed by the learned Trial Court.

3. With the assistance of the learned Counsel appearing on behalf of the petitioners, I have perused the pleadings in the plaint and the impugned order. It is required to be noted that the status of the present petitioners is that of employees of an educational society, who is duty bound to take care of the petitioners *qua* their conditions of service. After vacation/demolition of the school building, making appropriate arrangement for petitioners and students is the duty of the management and as such, in my opinion, the petitioners are neither necessary parties nor interested parties in the proceedings. Thus, the learned Trial Court has rightly rejected the application. No interference is warranted in extraordinary jurisdiction.

4. In the result, the writ petition stands rejected with no order as to costs.

(N.W. SAMBRE, J.)

amj