

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.2932 OF 2014

Dinkar Tukaram Patil and another

...Petitioners.

versus

Sanjay Industrial Estate

Co-op. Society Ltd. and others

..Respondents.

.....

Mr. Anant Vadgaonkar for the Petitioners.

Mr. D.B. Khaire, Addl.G.P. for Respondent Nos.4 to 8.

.....

CORAM : B.R. GAVAI &
A.S. GADKARI, JJ.

17th March, 2015.

P.C. :

The Petitioners have approached this Court with a grievance that Respondent No.7 is prejudiced against the Petitioners and therefore, the proceedings should be transferred to some other authorities.

2. Respondent No.7 has been joined in an official capacity. If it is the contention of the parties that a person who holds a particular office is prejudiced, then it is necessary to implead such a person in his personal capacity. That has not been done. In any case, the person who was occupying the office of Respondent No.7 at the time of filing of the Petition is no more in the office and is replaced by someone else by change of Government. In that view of the matter, there is no merit in the Petition. The Petition is disposed of.

(B.R. Gavai, J.)

(A.S. Gadkari, J.)