

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**CIVIL APPLICATION NO.2088 OF 2015
IN
WRIT PETITION NO.6577 OF 2015**

Pravin P. Wategaonkar .. Applicant/Intervener

M/s. Sion Panvel Tollways Pvt. Ltd. .. Petitioner.

Vs.

The State of Maharashtra & Ors. .. Respondents.

Mr. Pravin P. Wategaonkar, Applicant in person.

Dr. Milind Sathe, Senior Advocate with Ms. Neha Prashant, Ms. Ankita Singh and Ms. Karishma Rathod and Ms. Cheryl Fernandes i/b ALMT Legal for the Petitioner in WP No.6577/2015.

Mr. Vineet Naik, Senior Advocate and Special Counsel with Mr. A.B. Vagyani G.P. with Mr.V.B. Thadani AGP for the Respondent-State.

**CORAM : MOHIT S. SHAH, C.J. &
A.K. MENON, J.**

DATED : 5 AUGUST 2015

P.C. :

The applicant has taken out civil application for impleadment as a party respondent or for intervention in Writ Petition (Civil) No.6577 of 2015 which pertains to collection of toll at Sion Panvel Toll Plaza. However, at the hearing of this application the applicant has relied upon representation dated 6 July 2015 addressed to the Hon'ble Chief Minister of Maharashtra

regarding discreet/open inquiry to be conducted by Anti Corruption Bureau to ascertain criminality of corruption in the matter of awarding the contract for construction of Sion-Panvel road which contract was awarded in January 2011.

2. Having regard to subject matter of the writ petition we are of view that the applicant cannot be granted leave for impleadment or for intervention in Writ Petition (Civil) No.6577 of 2015. While dismissing the civil application for impleadment/intervention on the above ground, we make it clear that the applicant will be at liberty to file a separate PIL, if the applicant so desires.

3. Since we have not entertained the civil application on the above ground, we have not gone into the objections of Dr.Sathe, learned senior counsel for the petitioner in Writ Petitioner (Civil) No.6577 of 2015 regarding locus standi of the applicant's maintainability of application and delay in raising the challenge.

(CHIEF JUSTICE)

(A.K.MENON, J.)