

**FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY.
CIVIL APPELLATE JURISDICTION.**

**CIVIL APPLICATION NO. 1102 OF 2014
IN
SECOND APPEAL NO. 1065 OF 2012**

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr.R. N. Kachare i/b Amit Palkar for the applicant.
Mr. Chetan Patil for the respondent nos. 3A to 3C, 4 to 6, 9 and 12.

**CORAM : K. K. TATED, J.
DATED : 28/09/2015.**

PC.:

. Heard learned Counsel for the parties.

2 This application is preferred by plaintiff for setting aside the order dated 01.04.2013 passed by the learned Registrar (Judicial - I) by which second appeal stands dismissed against respondent nos.1D and 1G.

3 The learned Counsel for the applicant submits that the respondent nos.1D, 1G were appointed by the Government as a member of Devsthan Vyavsthapan Samitti Paschim Maharashtra i.e. respondent no.1 for final period. He submits that subsequently that period was over and in their place the Government has appointed other members. Therefore, applicant may be permitted to bring on

record the present members who were appointed by the Government in place of earlier members i.e. respondent nos. 1D and 1G.

4 Considering the submissions made by the learned counsel for the applicant and the averments made in Civil Application, I am satisfied that the applicant has made out a case for allowing Civil Application.

5 Hence, following order.

a) Order dated 01.04.2013 passed by learned Registrar (Judicial – I) is set aside.

b) Second Appeal No. 1065 of 2012 is restored against respondent nos. 1D and 1G.

c) Applicant is permitted to delete the name of respondent nos. 1D & 1G from cause title of Second Appeal.

d) Applicant is permitted to bring on record the subsequent members appointed by the Government as per GR dated 07.03.2012 and 23.09.2011.

e) Amendment to be carried out within four weeks from today, failing which Civil Application stands dismissed without referring back to the court.

f) If amendment is carried out within stipulated time as stated hereinabove, applicant is directed to serve the added respondents by private

notice either by registered post A.D. and/or by hand delivery and file Affidavit of Service to that effect.

g) Civil Application is disposed of accordingly.

(K.K.TATED, J.)

CERTIFICATE

Certified to be true and correct copy of the
original signed order.