

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.2732 OF 2014
IN
WRIT PETITION NO.4298 OF 1997**

Mahesh Kumar Nandrajog

....Applicant.

In the matter Between

Mr. Uttam B. Desai & Ors.

...Petitioners.

Versus

The State of Maharashtra & Ors.

...Respondents.

Ms. N.S.Moily, advocate for the applicant.

M.G.Patil i/by N.N.Bhadrashete , advocates for the original petitioners.

Mr. A.D.Kango, AGP for original respondent nos.1 to 3.

CORAM : M.S.SONAK, J.

DATED : January 19, 2015

P.C.:

In view of averments set out in this application as well as the order dated 13.3.2014, by which 12 similarly placed persons were permitted to be impleaded as proper parties, this application is allowed. Applicant is to be regarded as proper party to this proceedings. Applicant be impleaded as respondent accordingly. Petitioner to carry out necessary amendment to the petition within a period of two weeks from

today.

2 Though this application is being allowed, there is no valid explanation as to why applicant did not approach this Court along with 12 others in whose favour order dated 13.3.2014 came to be made. Applicant has also not shown promptitude in the matter of service of this application to all the contesting respondents. In such circumstances, it is only proper that the applicant pays cost of Rs.1,000/- to the petitioner-society. Such cost should be paid within a period of one week from today and it is only thereafter that petitioner would be obliged to carry out necessary amendment to the cause-title.

3 In view of aforesaid, this civil application is disposed of.

(M.S.SONAK, J.)