

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

**CIVIL APPLICATION NO. 9922 OF 2013
IN
WRIT PETITION NO. 8742 OF 2011**

Tulshiram Eknath Katkar

..APPLICANT

VERSUS

The State of Maharashtra and Others

..RESPONDENTS

....

Mr. S.S. Dambe, Advocate for applicant.

Mr. V.G. Shelke, AGP for Respondent Nos.1 to 4.

Mrs. M.A. Kulkarni, Advocate for Respondent No.5.

....

CORAM : RAVINDRA V. GHUGE, J.

DATED : 12th FEBRUARY, 2016

ORAL ORDER :

1. The applicant prays for being added as the respondent in the writ petition. His contention is that the applicant is the original complainant on whose complaint the proceedings against the petitioner have commenced. His presence in these proceedings would assist the Court.

2. Mrs. Kulkarni, learned Counsel for the original petitioner strenuously opposes the application. The contention is that though

the applicant is a complainant, his appearance in these proceedings is not required. He has set the law in motion and the proceedings have reached this Court. She therefore submits that this application be rejected.

3. Considering the above and the reasons set out in the application, I do not find that if the applicant is permitted to intervene, it would cause any prejudice to the petitioner or any of the litigating sides. As such, this application is allowed.

4. The applicant be added as Respondent No.5 in this petition within a period of two weeks from today.

5. The applicant/Respondent No.5 is permitted to file an affidavit in reply in the writ petition within four weeks from today.

(RAVINDRA V. GHUGE, J.)