

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 3662/2011

(PRASHANT BHAGWANTRAO RAIKWAR & OTHERS **VERSUS** STATE OF MAHARASHTRA & OTHERS)

Office Notes, Office Memoranda of Coram,
 appearances, Court's orders of directions
 and Registrar's orders

Court's or Judge's orders

Shri S.R. Deshpande, counsel for the petitioners.
 Ms T. Khan, A.G.P. for the R-1 & 2.
 Shri A.B. Patil, counsel for the R-3.

CORAM : SMT. VASANTI A NAIK AND
KUM. INDIRA JAIN, JJ.

DATE : OCTOBER 24, 2016.

To be heard finally in the first week of
 December-2016.

C.A.W. NO.1615/2016.

By this application, the petitioners seek
 permission to amend the writ petition.

We have perused the proposed amendment. The
 proposed amendment changes the nature of the petition as
 the petitioners have based their claim for a declaration in
 respect of de-reservation of the land of the petitioners on the
 basis of the notices issued in the year 2004 and 2005. Since
 the petitioners are now seeking a declaration of lapsing of
 reservation in pursuance of the notice dated 31.12.2014, the
 cause of action for filing the writ petition would change.
 Since the proposed amendment changes the nature of the
 petition that was filed in the year 2011, we are not inclined to
 allow the amendment application. The petitioners are free to
 take up appropriate proceedings in respect of the inaction on
 the part of the respondents after the notice dated 31.12.2014
 was served on them.

The civil application stands disposed of accordingly.

JUDGE

JUDGE

APTE