

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

Civil Application [CAW] No.1685 of 2015
and
Civil Application [CAW] No.1686 of 2015
in
Civil Writ Petition No.3473 of 2015

(Maqusudul Kabir Siddique s/o Mahfuzul Kabir Siddique and others
vs.

The State of Maharashtra, through its Secretary, Urban Development Department and others)

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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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Shri B.G. Kulkarni, Advocate for Applicant/Intervenor in CAW No.1685/2015.
Shri Anand Parchure, Advocate for Applicant/Intervenor in CAW No.1686/2015
Shri H.S. Chitaley, Advocate for the Petitioners.
Mrs. B.H. Dangre, Advocate for Respondent Nos.2 to 4.
Shri V.P. Maldhure, A.G.P. for Respondent Nos.1, 5 and 6.

CORAM : B.P. DHARMADHIKARI AND
V.M. DESHPANDE, JJ.

DATE : 28th JANUARY, 2016.

Heard.

We find that the applicants, who seek impleadment as respondents, are affected by the prayer clauses. If relief, as sought, is given to petitioners, their enjoyment of layouts would be prejudiced.

In this situation, without observing anything more on merits of the controversy and keeping all rival contentions open, we allow the civil applications.

The applicants be added as respondent Nos.7 and 8 within one week.

Liberty is granted to added respondents to file their replies, if any, in the meanwhile. If the petitioners want to place on record any material to rebut their contentions, they can also do so in the meanwhile.

Civil Application [CAW] No.2220 of 2015

Heard Advocate Shri Joharapurkar for Applicant-Intervenor. The applicant claims to be in possession of very same property in relation to which relief is being claimed by the petitioners. According to the applicant, it had an agreement for sale and ultimately a suit is filed, which has been compromised.

After hearing Advocate Shri Joharapurkar for the applicant and Advocate Shri Chitaley for the petitioners, we find that relief claimed in the petition does not prejudice the stand or contention of the applicant.

Hence, with liberty to the applicant to move appropriate application, if any cause of action arises in the present matter, we dispose of Civil Application No.2220/2015.

JUDGE

JUDGE

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