

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 9611 OF 2017

IN

WRIT PETITION NO. 8064 OF 2016

ASHOK RAOSAHEB DESHMUKH

VERSUS

CHANDRAKANT NARHARRAO SHINDE AND OTHERS

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Advocate for Applicant : Shri Sawant E.P h/f Shri Kale M.P.

Advocate for Respondents 1 & 2 : Shri Ippar P.K.

h/f Shri Salunke S.J.

Advocate for Respondents 3 to 8 : Shri Aghav A.D.

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CORAM : RAVINDRA V. GHUGE, J.

Dated: July 24, 2017

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PER COURT :-

1. By this application, the applicant - Ashok Raosaheb seeks intervention in this petition on two grounds. Firstly, that the land at issue was subject matter of adjudication in RCS No. 163 of 1986, which was initially dismissed. The RCA No.38 of 2000 was allowed by judgment dated 8.8.2011. The Second Appeal No.428 of 2011, pending in this Court is at the behest of the applicant - Ashok Raosaheb.

2. It is, therefore, submitted that considering his interest in the litigation and the RCS No.171 of 2012, filed by the petitioners, the applicant needs to be permitted to intervene.

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3. Learned counsel for the petitioners opposed this application. Original respondent Nos.1 to 6 support the applicant and pray for allowing his application.

4. Considering the above and the fact that the applicant is already before this Court in the pending Second Appeal, the Civil Application is allowed. The petitioners shall array applicant - Ashok Raosaheb as respondent No.7, on/or before 11.8.2017, in the petition.

5. Shri Sawant, learned Advocate for the applicant waives service for the added respondent No.7.

6. After the addition is carried out, list the Writ Petition for admission on 22.8.2017.

(RAVINDRA V. GHUGE, J.)

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