

IN THE HIGH COURT OF BOMBAY AT GOA**MISC. CIVIL APPLICATION NOS.390 & 391 OF 2017****IN****WRIT PETITION NOS.380 & 384 OF 2017****MISC. CIVIL APPLICATION NO.390 OF 2017****IN****WRIT PETITION NO.380 OF 2017**

GANESH BENZOPLAST LTD.,
REP. BY ITS VICE PRESIDENT
MR. ELTON RODRIGUES

... Applicant

V/S

MORMUGAO PORT TRUST

.... Respondent

AND**MISC. CIVIL APPLICATION NO.391 OF 2017****IN****WRIT PETITION NO.384 OF 2017**

GANESH VISHAL INFRA
ENGINEERING PVT. LTD.,
REP. BY ITS AUT. SIG.
SANGEETA KARKERA.,

... Applicant

V/S

MORMUGAO PORT TRUST

.... Respondent

Shri S.G. Desai, Senior Advocate with Ms. A. Lobo, Advocate for the Applicant.

Shri E.O. Mendes, Advocate for the original Petitioner.

Shri N. Noronha, Advocate for the original Respondent.

**Coram:- F. M. REIS &
NUTAN D. SARDESSAI, JJ.**

Date:- 4th May, 2017

P.C. :

Heard Shri S.G. Desai, learned Senior Counsel appearing for the applicant, Shri E.O. Mendes, learned Counsel appearing for the original petitioner and Shri N. Noronha, learned Counsel appearing for the

original respondent.

2. These applications are filed for impleadment of the applicant in the above petitions on the grounds set out in the applications, being the successful tenderers of the subject tender. The learned Counsel appearing for the respondent has no objection.

3. Shri E.O. Mendes, the learned Counsel appearing for the petitioner points out that the dispute raised by the petitioner is against the respondent and according to him the applicant has no role to play with that regard. The learned Counsel further points out that the applicants are not necessary party, but however, does not dispute that any order which may be passed in the above petition may remotely affect the right of the applicant.

4. In such circumstances, without going into the rival contentions and as it is not in dispute that the applicants are at least proper parties to the above petition the application is allowed. The applicants be added as party respondent to the respective petitions. The learned Counsel appearing for the petitioner to furnish a copy of the petition within one week. Newly added respondent to file reply, if any, within one week

thereafter. Petitioner is at liberty to file a rejoinder, if any, one week prior to the next date of hearing with copies thereof to the respective parties. Both the applications stand disposed off accordingly.

NUTAN D. SARDESSAI, J.
NH

F. M. REIS, J.