

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO. 908 OF 2016
IN
WRIT PETITION NO. 11380 OF 2015

A.I. Kapadi and ors.	.. Petitioners
Vs.	
CIDCO of Maharashtra Lktd and ors.	.. Respondents
And	
Sandeep Sharadchandra Thakur	.. Intervenor/Applicant

WITH
CIVIL APPLICATION NO. 248 OF 2016
IN
WRIT PETITION NO. 12714 OF 2015

Sandeep Thakur	.. Intervenor/Applicant
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In the matter between

Rainbow Flat & Shop Owner's Association and ors...	Org. Petitioners
Vs.	
State of Maharashtra and ors.	.. Respondents

Mr.Sandeep Thakur, Applicant -in-person is present.
Mrs.Kiran Bhagalia, for Petitioner in WP/11380/15.
Mr.Kiran S. Bapat i/b Mr.PD. Paranjape, for Petitioner in WP/12714/15.
Mr.A.I. Patel, AGP for State.
Mr.S.V. Marne, for Respondent No.2 in WP/11380/15 & for Respondent No.3 in WP/12714/15.
Mr.G.S.Hegde, for Respondent No.1 in WP/11380/15 & for Respondent No.2 in WP/ 12714/15.

**CORAM : B.R.GAVAI &
M.S.KARNIK, JJ.**

DATE : 06th SEPTEMBER, 2017

P.C. :

1. Applications for intervention by Mr.Sandeep Thakur are vehemently opposed by learned Counsel for the petitioners. Learned Counsel submits that from perusal of the prayer clause it would reveal that the applicant has no direct or indirect interest in the lis concerned.

2. Perusal of the averments made in paragraph 23 of the Petitions would reveal that there are specific allegations made against the applicant. It has been stated that CIDCO acts at the behest of the applicant. Apart from that the CIDCO has also granted liberty of being heard to the present petitioners. In that view of the matter, we find that presence of the applicant in the present proceedings would assist the Court in effecting adjudication of the present lis. The applicant may not be a necessary party but it cannot be said that he is not even a proper party. The applications are therefore allowed. Necessary steps be taken within a period of one week from today.

3. Put up the Writ Petitions for hearing at the end of admission board on 28/09/2017.

(M.S.KARNIK, J.)

(B.R.GAVAI, J.)