

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.12856 OF 2017

Mahabaleshwar Sthanik Taxi
Vyavasaik Sanghatana & Anr. ..Petitioners
Vs.
The State of Maharashtra & Ors. ..Respondents

WITH
CIVIL APPLICATION NO.2695 OF 2017
(NOT ON BOARD)

Prakash Ganpat Bawalekar & Ors. ...Applicants/
Intervenors

In the matter between
Mahabaleshwar Sthanik Taxi
Vyavasaik Sanghatana & Anr. ..Petitioners
Vs.
The State of Maharashtra & Ors. ..Respondents

Mr.S.D. Shinde for Intervenors in CAW No.2695 of 2017.
Mr.Siddharth Karpe for Mahabaleshwar Municipal Council for
Intervenor.
Mr.Surel Shah with Mr.Ketan Joshi and Mr.Vishwajit Mohite for
Petitioners.
Mr.V.P. Malvankar, AGP for State.

CORAM : SHANTANU S. KEMKAR AND
G.S. KULKARNI, JJ.

DATE : 22nd NOVEMBER 2017

P.C.:

Not on board. Taken on board as moved by a praecipe.

Heard the learned Counsel for the petitioners on the
question of admission.

2. Issue notice to the respondents.
3. Learned AGP waives notice for the respondents. He seeks time to take instructions and to file reply.
4. Also heard the learned Counsel for the parties on Civil Application No.2695 of 2017 filed by the residents of Mahabaleshwar seeking impleadment in the writ petition for supporting the cause raised by the petitioners.
5. On consideration, the application is allowed.
6. The petitioners are directed to implead the applicants as party respondents in the writ petition.
7. Learned Counsel for Mahabaleshwar Municipal Council submits that they will be filing an application seeking intervention.
8. Instead of application, we direct the petitioners to implead the Mahabaleshwar Municipal Council as a party respondent.
9. A copy of the writ petition be supplied to both the interveners.
10. Reply to the petition be filed by the respondent within six weeks.
11. Having considered the submissions made by the learned Counsel for the petitioners and having gone through the averments made in the writ petition, we are of the view that the petitioners made

out a prima facie case to grant ad-interim relief in terms of prayer clause (d). We accordingly grant ad-interim relief in terms of prayer clause (d).

12. List the matter on 8th January,2018.

13. In the meantime, it is open for the State Government to take a policy decision in the matter after giving due opportunity of hearing to the petitioners and also to newly added respondents, taking into consideration the seriousness of the matter.

14. Parties to act on the authenticated copy of this order.

[G.S. KULKARNI, J.]

[SHANTANU S. KEMKAR, J.]