

IN THE COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR
CIVIL APPLICATION (w) NOS. 1084/2017 & 1083/2017
IN
WRIT PETITION NO. 1146/2017
(M/s KCT and GKT A Joint venture Firm vs. Western Coalfields Ltd.)

Office Notes, Office Memoranda of
 Coram, appearances, Court's orders
 of directions and Registrar's orders

Court's or Judge's order

Shri Anand Jaiswal, Sr. Adv. with Shri F.T. Mirza,
 Advocate for the applicant/petitioner
 Shri A.M. Ghare, Advocate for WCL/respondent

**CORAM : SMT. VASANTI A. NAIK &
 MRS. SWAPNA JOSHI, JJ.**

DATED : 3rd May, 2017.

C.A.(W) NO. 1084/2017

Heard.

Perused the proposed amendment. The proposed amendment does not change the nature of the Petition. The proposed amendment is necessary for deciding the Writ Petition effectively. The prayer made in the Application is granted.

The Civil Application is allowed and disposed of. The amendment should be carried out during the course of the day. Since fresh tender that is sought to be challenged by the proposed amendment would be opened on 15th May 2017, we grant liberty to the petitioner to move the Vacation Court for interim orders as the learned counsel for the respondent undertakes to file the reply to the amended petition by Monday, the 8th May, 2017.

C.A.(W) NO. 1083/2017:

The prayer made in the Application needs to be granted as, by this Application, the petitioner is desirous of joining the Company, to which the tender is allotted. Since the party that is sought to be joined would be a necessary party, the prayer is granted.

Issue notice to the newly added party.

Service by *hamdast* is permitted, in addition to the regular mode of service. Additionally, the petitioner is permitted to serve the newly added party on the email address of the newly added party, as is supplied by it to the Western Coalfields Limited.

The petitioner or its learned counsel, while serving the respondent may intimate the respondent about the date on which the matter would be circulated before the Vacation Court. The Civil Application is allowed and disposed of.

JUDGE**JUDGE***sahare*