

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

942 CIVIL APPLICATION NO.14846 OF 2018 PIL/133/2016

VIKRANT RUPENDRA KALE AND ANOTHER
VERSUS
THE UNION OF INDIA AND OTHERS

...

Advocate for Applicant : Mr. Kale Ajeet B.
Advocate of UOI : Mr. S.B. Deshpande
Advocate for Respondent Nos.8 & 9 : Mr. B.R. Surwase

...

with
CIVIL APPLICATION NO.7689 OF 2018 IN PIL/133/2016

KOPARGAON MUNICIPAL COUNCIL THROUGH ITS CHIEF OFFICER
VERSUS
VIKRANT RUPENDRA KALE AND OTHERS

...

Advocate for Applicant : Mr. Patil Milind M. .
Advocate of UOI : Mr. S.B. Deshpande
Advocate for Respondent Nos.8 & 9 : Mr. B.R. Surwase

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**CORAM : PRASANNA B. VARALE &
MANGESH S. PATIL, JJ.**

DATE : 11.12.2018

PC. :-

It is submitted by the learned counsel appearing for the applicants that the present P.I.L. is filed for seeking direction against the Union of India as well as State Government and its agencies to implement the Nilawande project by providing necessary financial assistance. It was also submitted that the petitioner is protecting the interest of the residents who are within the

beneficial zone of Nilawande project and were interested to see that the water of the dam is not diverted to other persons than the beneficiaries.

2. It is then submitted by Mr. Kale that certain interim order is also passed by this Court. Recently, a decision is taken by the State Government and the applicants apprehend a diversion in the distribution of water. The proposed beneficiaries would be Saibaba Sansthan, Shirdi and Kopargaon Municipal Council. As such, the applicants pray for adding these parties to the petition. On perusal of the application and in view of the submission of the counsel the application is allowed in terms of prayer clause-b.

3. It was brought to our notice that Kopargaon Municipal Council had also filed an application seeking intervention in the matter. As we are allowing the present application no. 14846 of 2018 permitting the applicant to add Kopargaon Municipal Council as party respondent to the petition, no orders are required to be passed in an independent application filed by the Kopargaon Municipal Council. The application no. 7689 of 2018 filed by the Kopargaon Municipal Council is accordingly disposed of. The applicant to take necessary steps for amendment within one week from today.

[MANGESH S. PATIL, J.]

[PRASANNA B. VARALE, J.]