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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
PUBLIC INTEREST LITIGATION NO.31 OF 2012
WITH
CIVIL APPLICATION (ST) NO.25756 OF 2016

Shri Shriniwas Anant Ghanekar and Anr.	... Petitioners
Vs.	
The State of Maharashtra and Ors.	... Respondents

PIL/31/2012 a/w CAIST/25756/2016

Ms. Savina S. Bangera for the Petitioners and Applicants.
Mr. A.B. Vagyani, G.P. a/w Mrs. R.A. Salunkhe, AGP for the Respondent Nos.1 and 2.
Ms. Urmila M. Jhaveri for the Respondent No.4.
Mr. Deepak Chitnis – Chiparikar I/by M/s. Deepak Chitnis-Chiparikar & Co. for the Respondent No.5.
Mr. Janak Dwarkadas, Senior Advocate a/w Mr. V.R. Dhond, Senior Advocate, Mr. Thipsay, Ms. Teresa Daulat & Mr. Mohanish Patkar I/by TRD Associates for the Respondent Nos.7, 8 and 10.

**CORAM : A.S. OKA &
RIYAZ I. CHAGLA, JJ.**

DATE : 25th JUNE 2018

P.C.

1 The learned counsel appearing for the petitioners points out that there is a separate application filed for deleting the name of the second petitioner. She pointed out that now the second petitioner is the Hon'ble Cabinet Minister in-charge of the Departments of Public Works (Public Undertaking) and that he is the Chairperson of the third respondent – the Maharashtra State Road Development Corporation by

virtue of holding the office of the Hon'ble Minister. The main grievances in this petition are about the first and third respondents. The learned counsel appearing for the petitioners states that she wants to amend the petition extensively on account of subsequent events.

2 In view of the statements made by the learned counsel appearing for the petitioners, the question is whether we should allow the first petitioner to prosecute this petition by amending the same by adding additional grievances and prayers. In fact, the second petitioner who is the co-petitioner of the first petitioner is now in a position to deal with all the grievances which are raised in the petition and which the first petitioner proposes to raise. We are sure that if the first petitioner addresses a representation to the second petitioner in his official capacity, the second petitioner will certainly look into the grievances made by the first petitioner in accordance with law.

3 We, therefore, dispose of this petition by passing the following order :-

ORDER

- (i) The name of the second petitioner stands deleted;
- (ii) It will be open for the first petitioner to make appropriate representation to the State Government as well as to the second petitioner in his official capacity

regarding the grievances which are made in this petition which survive for consideration and grievances which the first petitioner intended to incorporate by way of amendment. If such representation is made, we are sure that the same will be decided in accordance with law as expeditiously as possible;

(iii) All contentions are kept open. Pending Civil Applications do not survive.

(RIYAZ I. CHAGLA, J)

(A.S. OKA, J)