

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**LETTERS PATENT APPEAL NO.196 OF 2011
IN
WRIT PETITION NO.8503 OF 2010**

Dr. Arjun Sitaramji Nitinwar	..Appellant
Versus	
Ambika Prasad Kaushik and others	..Respondents

None for the Appellant.

Mr. Aditya Shiralkar a/w Mr. Vivek Shiralkar & Ms. Yashoda Desai, Advocate for Respondent No.1.

Mr. Mahesh Londhe a/w Mr. Netaji Gawade I/by Sanjay Udeshi & Co., Advocate for Respondent Nos.10 to 21.

**CORAM : B. R. GAVAI &
RIYAZ I. CHAGLA, JJ.
DATE : 19th NOVEMBER, 2018**

P.C.

1] The Appeal challenges the order dated 6th July 2011 passed by the learned Single Judge of this Court, thereby dismissing the Writ Petition filed by the present Appellant on the ground of locus.

2] The learned Single Judge has found that the initial proceedings were initiated by Respondent Nos.10 to 21 for the benefit of Ambika Prasad Kaushik and others, who were

Respondents in this Writ Petition. It was further found that the order which is subject matter of the present Petition came to be challenged by the said Respondents by way of a Writ Petition, which Writ Petition came to be withdrawn by the said Respondents. In that view of the matter, the learned Single Judge found that the present Writ Petition which was filed by Power of Attorney of Respondent Nos.10 to 21, had no independent right to file present Petition. We do not find that any error is committed by the learned Single Judge. The order passed by the learned Single Judge is in consonance with the legal position. As such, there is no merit in the Appeal. The Appeal is dismissed.

[RIYAZ I. CHAGLA, J.]

[B. R. GAVAI, J.]