

CIVIL APPLICATION NO. 598 OF 2018
IN
WRIT PETITION NO. 11907 OF 2016

Sambhaji Shivaji Patil	}	Applicant
versus		
State of Maharashtra and Ors.	}	Respondents

Mr. Parag M. Tilak with Mr. Atharva A. Dandekar for respondent no. 9.

DATE :- AUGUST 10, 2018

2. The civil application lacks bonafides. First of all, under the Bombay High Court Appellate Side Rules, 1960, there is no permission or approval granted to petitioners or applicants to engage two advocates. If there are two applicants or more than one, they have to engage single advocate. The petitioners, who have filed the petition can present an application to drop or

transpose one of the petitioners and thereupon, the rules permit his impleadment as respondent. Now, the applicant, who is one of the petitioners, makes allegations against the other petitioner and states that he does not wish to continue as the petitioner.

3. In reply to this civil application, petitioner no. 2 says that this application is not bonafide. The Collector of the District had been jointly approached by a complaint by both of them alleging that there is a large scale misappropriation and rather a fraud perpetrated on the public. No action has been taken against the concerned persons, though these serious allegations have been made by both of them. In these circumstances, the civil application is entirely misconceived and it is dismissed.

4. Let the Collector, Satara file his personal affidavit pointing out as to what action has been taken against those involved in illegal mining/sand excavation operations. The affidavit be filed on or before 3rd September, 2018 with advance copy to the petitioners' advocate.

5. We place this matter on 6th September, 2018. To be listed on the "Supplementary Board".

(SMT. BHARATI H. DANGRE, J.)

(S.C.DHARMADHIKARI, J.)