

IN THE HIGH COURT OF JUDICATURE AT BOMBAY***CIVIL APPELLATE JURISDICTION*****CIVIL APPLICATION NO. 1492 OF 2018****IN****WRIT PETITION NO. 10623 OF 2015****Vasant Sitaram Patil & Ors.****..... Applicants****IN THE MATTER BETWEEN****Arvind Products Ltd.****..... Petitioner****VERSUS****The State of Maharashtra & Ors.****..... Respondents**

Mr.Surel S. Shah, I/b. Mr.Dhananjayrao D. Rananaware and Mr.Prasad Deshmukh for the Applicants.

Mr.Girish Godbole, a/w. Ms.Jai Kanade, Mr.Atul Kshatriya, Mr.Jigar Shah, i/b. Markand Gandhi & CO. for the Original Petitioner.

Mr.S.D.Rayrikar, A.G.P. for the State – Respondent nos.1 to 4.

CORAM : R.D. DHANUKA, J.**DATE : 18th JULY, 2018****P.C.**

By this civil application, the applicants seek impleadment in the writ petition on the ground that the order under section 32G of the Maharashtra Tenancy and Agricultural Lands Act, 1948 has been already passed in favour of the applicants.

2. Admittedly the applicants were not the parties to any of the proceedings in which the impugned orders are passed. If on the basis of such certificate issued under section 32G of the Maharashtra Tenancy & Agricultural Lands Act, the applicants assert any right in respect of any part of the property which is the subject matter of this

writ petition, the applicants are free to file appropriate proceedings to protect such rights. It is made clear that if any order is passed by this Court in this writ petition which is for seeking adjudication of rights between the petitioner and the respondents, the said order will not affect the rights, if any, of the applicant based on such certificate under section 32G of the Maharashtra Tenancy & Agricultural Lands Act. In my view, the applicant is thus neither a necessary nor proper party to this writ petition.

3. The civil application is accordingly dismissed with aforesaid clarification. There shall be no order as to costs.

4. Place Civil Application No. 787 of 2018 on board on 26th July, 2018.

[R.D. DHANUKA, J.]