

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

CIVIL APPLICATION NO. 14898 OF 2018

IN

WRIT PETITION No. 3985 of 2017

Manisha W/o Shivaji Shende	... <u>Applicant</u>
<u>Versus</u>	
Alka W/o Laxman Khemnar and others	... <u>Respondents</u>

Mr. D.R. Markad, Advocate for applicant

Mr. R.R. Karpe, Advocate for Respt.No.1/petitioner in W.P.No. 3985/2017

Mr. S.R. Yadav, Asstt. Govt. Pleader for respodents No.6 & 7

Mr. A.A. Mane,Adv., h/f. Mr A.S. Sawant, Adv. for petitioner in W.P. No. 2061/2018

CORAM : RAVINDRA V. GHUGE, J.

DATE : 14th JUNE, 2019

PER COURT:

1. The applicant desires to intervene in Writ Petition No. 3985 of 2017. Grievance is that one Madhukar Motiram Salve sought disqualification of the elected representative Alka W/o Laxman Khemnar. After Alka Khemnar was disqualified, she approached this Court in Writ Petition No. 3985 of 2017 and by order dated 22nd August, 2018 passed by this Court (Coram : Mr. V.K. Jadhav, J.), Alka Khemnar was granted protection in the form of a direction to the authorities that the result of the election should not be declared.

2. The applicant submits that she has contested the said election and, therefore, she is interested in an early decision in the petition filed by Alka Khemnar.

3. Though I find that the applicant is eager to see the result of the pending petition, since she has contested election, this cannot be a ground for permitting intervention as it would open floodgates and such candidates contesting said election, in such facts and circumstances, would move the Court for intervention. A person can be permitted to intervene if the Court finds that the proceedings in hand cannot be effectively adjudicated upon in the absence of such a party and if the decision in the said proceeding would prejudicially affect the applicant.

4. I do not find that the presence of the applicant is necessary for deciding the petition filed by Alka Khemnar. As such, this application is rejected.

(RAVINDRA V. GHUGE)
JUDGE

Madkar