

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

**CIVIL APPLICATION (ST) NO. 34478 OF 2019
IN
WRIT PETITION NO. 9226 OF 2014**

Wockhardt Infrastructure Development Ltd. Applicant

Versus

The Grampanchayat, Kumbhephal & Ors. Respondents

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Shri. S. V. Adwant, Advocate for the applicant

Shri. V. D. Sapkal, Advocate h/f Shri. D. R. Kale, Advocate for
respondent No. 2

Shri. P.G. Borade, AGP for respondent/State

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**CORAM : S. V. GANGAPURWALA &
AVINASH G. GHAROTE, JJ.**

DATE : NOVEMBER 05TH, 2019

PER COURT : -

1. The civil application is tendered across the bar by the original writ petitioner. The said civil application is seeking leave to amend. We have heard Mr Adwant, the learned counsel for the applicant. Mr. Sapkal, the learned counsel for non applicant no.1 opposes the application on the ground that the same is belated and is filed only to protract the matter as the applicant is enjoying the interim protection of this Court.

2. The non-applicants would have every right to controvert

the averments sought to be introduced by way of amendment. They are entitled to raise all possible and available defences. By the instant application, the applicant seeks to amend and assail the amending rules of 2015.

3. Considering the nature of dispute and the fact that the respondents will have the opportunity to controvert all the averments and further the fact that the petition is at the nascent stage, we allow the application for amendment. Civil Application is allowed in terms of prayer clause 'B' and disposed of.

4. Necessary amendment be carried out within 14 days.

5. Place the matter for admission on 17.12.2019.

[AVINASH G. GHAROTE]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

Gajanan