

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

WRIT PETITION NO.13789 OF 2019

DEEPAK SOPANRAO PATIL AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...

Advocate for the Petitioners : Shri S. S. Thombre h/f.
Smt. Y. M. Kshirsagar

AGP for Respondent Nos. 1 to 3 : Shri P. M. Kulkarni
Advocate for Respondent Nos. 4 and 5 : Shri R. K.

Ingole Patil
Advocate for Respondent Nos. 7 and 8 : Shri P. R.
Katneshwarkar

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CORAM : RAVINDRA V. GHUGE, J.

DATED : 18th NOVEMBER, 2019.

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PER COURT :

1. I have heard the learned Advocate for the petitioners, the learned AGP on behalf of respondent Nos. 1 to 3, the learned Advocates for respondent Nos. 4 and 5 and the contesting respondent Nos. 7 and 8.

2. The learned Advocate appearing on behalf of respondent Nos. 7 and 8 who are actually the contesting respondents, submits that the request of the petitioners to intervene in the pending proceedings before respondent No. 2 at Pune can be

allowed, on instructions from his client present in the Court.

3. I find that the prayer in this petition is that the petitioners be permitted to be arrayed as respondents in the proceedings below Exhibit 12.

4. In view of the above and the request of respondent Nos. 7 and 8 that the matter be heard expeditiously as the petitioners intend to delay the proceedings after respondent Nos. 7 and 8 have invested huge amounts in the plot allotted to them by the APMC Nanded, this petition is partly allowed. The impugned order dated 06/11/2019 is set aside by consent with the following directions :-

(a) Since the hearing before respondent No.2 is scheduled tomorrow on 19/11/2019, the petitioners shall appear before respondent No.2.

(b) Respondent Nos. 7 and 8, who are the appellants before respondent No.2, shall add the petitioners as the respondents.

(c) Since this amendment can be carried out conveniently, a freshly typed copy of the appeal memo is not necessary.

(d) The petitioner shall file their written say alongwith documents if any, before respondent No.2, on or before 21/11/2019 by 5.00 p.m.

(e) All the parties shall advance their oral arguments and if so advised, shall enter written notes of submissions before respondent No.2 and such oral submissions shall conclude on 22/11/2019 till 5.00 p.m.

(f) Thereafter respondent No. 2 shall deliver a reasoned order at 3.00 p.m. on 30/11/2019 and all the litigating sides are at liberty to remain present to note the pronouncement of the order.

(RAVINDRA V. GHUGE, J.)

shp/-