

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION No. 2609 OF 2011
IN
FIRST APPEAL No. 876 OF 2017

The Godavari Marathwada
Irrigation Development Corporation ...Applicants

In the matter between

The State of Maharashtra and Anr. ...Appellants

Vs.

Namdeo Sakharam Gaikwad and Ors. ...Respondents

Ms. Chaitrali Deshmukh for Applicants
Mr. Yogesh Dabake -AGP for Appellants Nos.1 and 2

CORAM: K.K. TATED, J.

DATED : JUNE 4, 2019

P.C. :

1. Heard learned counsel for the parties.
2. This application is preferred by The Godavari Marathwada Irrigation Development Corporation for joining them as Respondent in First Appeal filed by the State of Maharashtra.
3. It is the case of the Applicants that they are acquiring body in the present proceeding and the State of Maharashtra has acquired the land for their project.
4. Learned counsel for the Applicants submits that, the entire cost of acquisition is on the Applicants and hence, they are necessary party for the present proceeding.

5. The learned AGP Mr. Yogesh Dabake appearing for the State has no objection if the civil application is allowed.

6. Considering the submission made by learned counsel for the Applicants and the averments made in the civil application, I am satisfied that the Applicants have made out a case for allowing this civil application. Hence, following order:

ORDER

(A) Civil application is allowed in terms of prayer clause (a), which reads thus:

“(a) That the applicant/intervenor may be allowed to join as a party respondent in the abovesaid First Appeal.”

(B) Appellants- State of Maharashtra to carry out appropriate amendment in First Appeal and pending application, if any, on or before 12th July, 2019 and serve copy to other side.

(C) Civil Application stands disposed of accordingly.

(D) No order as to costs.

(K. K. TATED, J.)