

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

CRIMINAL APPLICATION NO.69 OF 2019

IN

CRIMINAL WRIT PETITION NO.581 OF 2011

(Gunwantrao Bapurao Deshmukh ..vs.. M.M. Fulari, SDO and Authorised Officer, Umarkhed and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri P.S. Sahare, Counsel for the petitioner,
Shri C.A. Lokhande, Addl.P.P. for respondents/State.

**CORAM : P.N. DESHMUKH AND
ROHIT B. DEO, JJ.**

DATED : 05-03-2019

Heard learned Counsel for petitioner and learned Additional Public Prosecutor for respondents/State.

2. This application is for grant of permission to amend the petition, thereby adding respondent Nos.1 to 3 as mentioned in paragraph No.4 of the application contending that said respondents should be necessary parties.

3. Order dated 26-2-2019 would reveal that earlier petitioner sought leave to delete respondent Nos.1 to 3 who were made party respondents, which leave was granted and on deleting said original respondent Nos.1 to 3, petitioner without obtaining any leave of this Court, to add any other respondents, added respondent Nos.1 to 3, by carrying amendment on 13-2-2019 mentioning that said respondents are added on grant of leave of this

Court. However, as aforesaid no leave to add new respondents was granted any time before but only leave to delete original respondent Nos. 1 to 3 was granted.

4. In the background as aforesaid, present application is now filed, for rectification of this fact.

5. Having considering facts as afore said, application is allowed, subject to payment of costs of Rs.5,000/- (Rupees Five Thousand only) to be paid by the petitioner within one week. On depositing costs, it shall paid to District Bar Association, Nagpur.

Criminal Application (APPW) 197/2018.

Heard learned Counsel for petitioner and learned Additional Public Prosecutor for respondents/State.

2. This application dated 20-8-2018 is filed for bringing on record legal heirs of the original petitioner who is stated to be dead on 19-7-2018.

3. For the grounds mentioned in the affidavit and considering subject matter involved in the petition, application is allowed. Petitioner to effect amendment within one week and serve copy of amended petition to the respondent

JUDGE

JUDGE