

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

Civil Application [CAW] No.1473 of 2019
in
Writ Petition No.8342 of 2018

Prabuddha Vividh Seva Sahakari Sanstha
 VS.
State of Maharashtra & others

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*Office notes, Office Memoranda of
 Coram, appearances, Court's orders
 or directions and Registrar's orders.*

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Court's or Judge's Orders

*Mrs. M.R. Chandurkar, Advocate for the Applicant/Intervenor.
 Shri A.J. Dhoble, Advocate for the Petitioner.
 Shri S.J. Kadu, A.G.P. for the Respondents.*

CORAM: SUNIL B. SHUKRE & S.M. MODAK, JJ.
DATE : 11th JUNE, 2019.

Advocate Shri Dhoble, holding for Shri R.S. Parsodkar, learned Counsel for the petitioner, submits that some more time be granted, as his senior Advocate is abroad. There is no difficulty in granting of some more time to the petitioner, who is already enjoying the interim relief in his favour. However, there is an issue which has been brought to the notice of this Court by the learned Assistant Government Pleader and the learned Counsel for the applicant/intervenor and it is about stalling of supply of meals to the Government Hostels, because of which, the inmates of the Government Hostels would suffer hugely. They submit that the current academic session of the schools is going to start with effect from 26th of June, 2019 and if any further time is granted, there would be no food supply to the inmates of the Hostels with the result that their education would ultimately suffer.

Such being the case here, we would have expected that at least some reply to this application was filed by the petitioner. After all, this application has been filed on 4th May, 2019, as submitted by Mrs. Chandurkar, learned Counsel for the applicant/intervenor. So, there was sufficient time available to the petitioner to file reply to this application.

In the circumstances noted above, it would not be possible for us to consider the request made on behalf of the petitioner for adjourning the hearing at least on this application and the request is rejected.

Coming back to the merits of the application, we find that there is no reason for us to reject the application. This is because of the fact that applicant/intervenor was the successful bidder and this position is not disputed by the learned A.G.P. for the State. So, she would have a right of hearing in the present petition.

Accordingly, this application is allowed and the applicant is permitted to intervene in the matter and shall be heard as such. Necessary amendments be carried out by the petitioner on or before the next date. The intervenor is permitted to file on record a reply on affidavit.

Stand over to 18th June, 2019. On which date, it may be noted by the parties that this Court is likely to take up this petition for final hearing at the admission stage.

JUDGE

JUDGE