

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

CIVIL APPLICATION (CAW) NO.3265 OF 2019

IN

WRIT PETITION NO.1682 OF 2019

Daryapur Education Society, Daryapur, Through its President Shri Namdeo Shalikram Jawarkar.
 Vs.

The State of Maharashtra Department of Treasury, Mantralaya, Mumbai, Through its Secretary and
 others.

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

Court's or Judge's orders

Ms. A. Lanjewar, Advocate h/f Mrs. R. D. Raskar, Advocate for petitioner.
 Shri A. M. Kadukar, Assistant Government Pleader for respondent nos.1
 to 3.
 Shri V. G. Palshikar, Advocate for respondent no.4.

CORAM : A. S. CHANDURKAR, J.

DATE : DECEMBER 09, 2019.

By this application the applicant prays that it be added as respondent in the writ petition. According to the respondent by the order dated 24.04.2008 it was allotted land admeasuring 1 Hecter 50 R Gat No.44 which is also the subject matter of the present writ petition. It is also the case of the applicant that the original petitioner had filed a suit for declaration and permanent injunction against it being Regular Civil Suit No.11 of 2017 and the trial Court as well as the appellate Court refused to grant any injunction in its favour. It is therefore prayed that the applicant is a necessary party in the writ petition as the order dated 24.11.2017 passed by the Hon'ble Minister allowing the appeal filed by the respondent no.4 is under challenge.

Time is being sought on behalf of the petitioner due to non-availability of the petitioner's counsel.

However considering the documents on record including the order dated 24.04.2008 allotting the land to the applicant, I am satisfied that the Civil Application deserves to be allowed in terms of prayer clause (1).

The Civil Application is allowed and disposed of.

Writ Petition No.1682 of 2019

The petitioner to amend the cause title of the writ petition and implead the applicant in Civil Application No.3265 of 2019 as respondent no.5.

Time of three weeks is granted to the petitioner to file reply to Civil Application No.3266 of 2019.

JUDGE