

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

**CIVIL APPLICATION STAMP NO. 13666 OF 2020
IN WRIT PETITION NO. 5249 OF 2020
WITH
CIVIL APPLICATION NO. 4937 OF 2020
IN WRIT PETITION NO. 5251 OF 2020**

Sakharam Sayaji Dhindale
and others

... Applicants.

Versus

The State of Maharashtra
and others

... Respondents.

....

Mr. B.S. Shinde, Advocate and Mr. A.G. Ambetkar, Advocate for the Applicants.

Mr. S.B. Yawalkar, A.G.P. for State in both Civil Applications.

Mr. S.T. Shelke, Advocate for Respondent Nos. 10 and 11 in both writ petitions.

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**CORAM : RAVINDRA V. GHUGE &
SHRIKANT D. KULKARNI, JJ.**

DATE : 24th AUGUST, 2020

PER COURT:-

1. We have heard the learned Advocate for the applicants, the learned A.G.P., the learned Advocate appearing on behalf of the petitioners in Writ Petition No.5249 of 2020 and the learned Advocate on behalf of Respondent Nos. 10 and 11.

2. We find that the applicants in both these applications seek intervention as respondents in Writ Petition No.5249 of 2020 and Writ Petition No.5251 of 2020 and are, in fact, putting forth their claims in the present proceedings, without filing a substantive writ petition.

3. The learned Advocate appearing on behalf of the original petitioners opposes these applications on the ground that intervenors cannot seek relief contrary to the prayers put forth by the petitioners, by being arrayed as respondents. If they so desire, they may file independent writ petitions for putting forth their cause of action and seek reliefs.

4. The counsel appearing on behalf of Zilla Parishad submits that in view of certain orders passed by the Hon'ble apex Court, presently the transfers in PESA area (tribal area) cannot be effected. In our view, this statement would protect the petitioners.

5. In view of the above, the learned Advocates for the applicants in both these civil applications submit that these applicants would file independent petitions and would then pray for clubbing their petitions with these two petitions before us today.

6. In view of the above, both these civil applications are disposed off with liberty as is prayed for.

(SHRIKANT D. KULKARNI)
JUDGE

(RAVINDRA V. GHUGE)
JUDGE

SPR