

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

**905 CIVIL APPLICATION NO.5552 OF 2020
IN WP/4980/2020**

**SAYYED HAKIM SAYYED IMAM DIED THROUGH LRS AKHTARBEE SAYYED
HAKIM AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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**Advocate for Applicants : Mr. Milind Madhu Joshi
AGP for Respondents : Mr. S.R. Yadav.**

CORAM : MANGESH S. PATIL, J.

DATE : 25/09/2020

PER COURT :

Motion is made for the speaking to the minutes of the order dated 09.09.2020. On that day the Civil Application for addition of the party was allowed and it was directed that the amendment to be carried out within two weeks. However, the interim relief was directed to be continued for a period of two weeks. The learned advocate for the applicants submits that the notice to the added respondents was made returnable on 14.10.2020 and the interim relief should have been continued till then.

2. In fact, the Writ Petition wherein the interim relief was granted initially by the order dated 06.07.2020 was extended from time to time up to 08.09.2020. The Writ Petition along with the Application for amendment was listed on board on that day and instead of soliciting extension of interim relief in the Writ Petition, only an order on the application for amendment was solicited and in that order the interim relief was stated to be extended for two weeks which was the date within which the amendment was to be carried out. It is in view of such circumstances there is no question of any error or mistake in passing the order. The order for extension of interim

relief ought to have been solicited in the Writ Petition. That having not happened, though the motion cannot be allowed in the terms sought for, the interim relief shall stand extended up to 14.10.2020.

3. Motion is disposed of.
4. Learned A.G.P. waives service for respondent No. 6.

(MANGESH S. PATIL, J.)

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