

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

INTERIM APPLICATION (APPW) NO100 OF 2020
IN
CRIMINAL WRIT PETITION NO.548 OF 2020

Vijay M. Agrawal and others.

..VS..

State of Maharashtra Through Additional Chief Secretary, Home Department,
Mantralaya, Mumbai – 32 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 Firdos T. Mirza, Advocate for petitioners.
Shri A. M. Joshi, APP for respondent nos.1 to 4.
Shri M. G. Bhangde, Senior Advocate for intervenor.

CORAM : SUNIL B. SHUKRE AND
AVINASH G. GHAROTE, JJ.
DATED : 02/11/2020

Heard Shri Firdos Mirza, learned Advocate for the petitioners, Shri A. M. Joshi, Additional Public Prosecutor for the respondent nos.1 to 4 and Shri M. G. Bhangde, learned Senior Advocate for the intervenors. These intervenors claim that they would be affected if any adverse orders are passed in this petition. Considering the grievance of the intervenors, we allow the application and direct the petitioners to add the intervenors as additional respondents to this petition, as intervenors with only right of hearing in the matter. However, copy of the petition alongwith all necessary documents be furnished commonly to learned Senior Advocate for the Intervenors.

We have perused the reply filed on behalf of respondent no.3. The reply speaks for only respondent no.3, but not the respondent Nos.2 and 4. Shri Joshi, learned Additional Public Prosecutor, seeks liberty from the Court to make necessary amendments in the matter, liberty granted.

From the letter dated 5th October, 2020, annexed to the reply and also having regard to the various directions given by the Hon'ble Apex Court in the case of **Maharashtra Ekta Hawkers Union Vs. Municipal Corporation, Greater Mumbai, (2014) 1 SCC, 490**, we are of the view that Nagpur Municipal Corporation will also be necessary party to this petition. Accordingly, we direct the petitioners to add Nagpur Municipal Corporation as a party respondent to this petition by making necessary amendments.

Necessary amendments be made to this petition, in pursuance of the directions given on or before the next date, and thereafter, notice be issued to the newly added respondent, Nagpur Municipal Corporation, Nagpur, returnable in one week. Application is disposed of.

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Stand over to 25/11/2020.

JUDGE

JUDGE