

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

C.A.W. NO.77/2016  
IN  
WRIT PETITION NO.6651/2015

Magasvargiya Beghar Mahila Gruh Nirman Sahkari Sanstha, through its  
President, Nagpur  
..V/s..  
State of Maharashtra and others

WITH  
CIVIL APPLICATION NOS.550/2017, 2076/2016, 818/2015, 1473/2016,  
1586/2016, 2426/2016, 81/2017  
IN  
WRIT PETITION NO.459/2015

Magasvargiya Beghar Mahila Gruh Nirman Sahkari Sanstha, through its  
President, Nagpur  
..V/s..  
State of Maharashtra and others

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

Shri R.V. Gaikwad, Advocate for the petitioner.  
Shri S.M. Ukey, Addl. Government Pleader for respondent Nos.1 to 5.  
Shri Anand Parchure, Advocate for the intervenors. ..(in WP6651/2015)

Shri P.C. Madkholkar, Advocate for the petitioner.  
Shri S.M. Ukey, Addl. Government Pleader for respondent Nos.1 to 5.  
Shri Anand Parchure, Advocate for the intervenors.

CORAM : RAVINDRA V. GHUGE & S.M. MODAK, JJ.  
DATED : 10.2.2020.

1] The applicants claim to be the erstwhile owner of that portion of land which was held to be surplus and these applicants were therefore divested with that portion of the land. The said land was

subsequently allotted to the petitioner society in view of the Batta Commission Report and the decision delivered by this Court in Writ Petition No.55/2004 decided on 18.10.2018. The contention of the applicants is that as the Urban Land (Ceiling and Regulation) Act, 1976 is repealed, the surplus land earlier held by the applicants will have to be returned to them.

2] The learned Advocates for the non-applicants submit that though the applicants could be permitted to be impleaded, no relief can be granted or even the claim of these applicants cannot be entertained in a petition filed by the petitioner society. An independent writ petition filed by the applicants is pending with this Court.

3] In view of the above, the civil application is **allowed.**

4] The petitioner shall implead the applicants in this petition and shall tender an amended copy of the petition memo on or before 28.2.2020. The learned Advocate for the applicants waives service of notice on behalf of the applicants who are now impleaded as respondents.

5] Considering the order dated 13.1.2020 passed by this Court, though Writ Petition Nos.6651/2015 and 459/2015 shall be taken up together, Writ Petition

Nos.6651/2015 shall be taken up for final hearing prior to the earlier petition.

6] Stand over to **19.3.2020**.

7] Civil Application No.550/2017 is filed by the applicant, who is petitioner in Writ Petition No.459/2015 carrying the same name as is carried in Writ Petition No.6651/2015, since it appears that there are two groups in the body of the petitioner. Considering the same, this civil application is **allowed** permitting the petitioner in Writ Petition No.459/2015 to amend the petition within three weeks from today and submit the amended memo of the petition forthwith.

8] Civil Application No.2076/2016 is filed in Writ Petition No.459/2015 for bringing certain documents on record.

9] Considering the submissions of the parties, the said application is **allowed** and the documents shall be brought on record in the respective petition with proper pagination within three weeks from today.

**C.A.W. Nos.818/2015, 1473/2016, 1586/2016, 2426/2016, 81/2017 in W.P. No.459/2015.**

10] In all these civil applications, the applicants seek intervention in Writ Petition No.459/2015, for the

same reasons for which Civil Application No.77/2016 in Writ Petition No.6651/2015 was allowed.

11] Considering the above, and on parity, all these civil applications are **allowed**. The petitioner shall carry out the addition of all these applicants, who are permitted to intervene as respondents in Writ Petition No.459/2015, within three weeks from today and tender an amended copy of the writ petition memo. The respective learned Advocates appearing on behalf of the applicants seeking intervention, shall cause an appearance on their behalf and service of notice is waived.

(S.M. MODAK, J.)

(RAVINDRA V. GHUGE, J.)