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

904 WRIT PETITION NO.4707 OF 2018
WITH
CIVIL APPLICATION NO.6233 OF 2019

**BABURAO DATTARAO BHALERAO AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Mr P. R. Katneshwarkar, Advocate h/f Ms. P. V. Bedke, Advocate
for petitioners;
Mr S. B. Yawalkar, A.G.P. for respondent Nos.1 & 2;
Mr H. I. Pathan, Advocate for respondent No.3;

WITH
CIVIL APPLICATION NO.7105 OF 2018
IN WP/4707/2018

**SUBHASH RAGHOJI MASKE & OTHERS
VERSUS
BABURAO DATTARAO BHALERAO & OTHERS**

Mr A. G. Jadhav, Advocate for applicants;
Mr P. R. Katneshwarkar, Advocate h/f Ms. P. V. Bedke, Advocate
for respondent Nos.1 to 3;
Mr S. B. Yawalkar, A.G.P. for respondent Nos.4 & 5;
Mr H. I. Pathan, Advocate for respondent No.6

**CORAM : RAVINDRA V. GHUGE
AND
S. G. MEHARE, JJ.**

DATE : 3rd December, 2021

PER COURT:

1. Having briefly heard Shri. Katneshwarkar, the learned Advocate representing the petitioners and the learned Advocate Shri. Pathan along with the learned A.G.P. on behalf of the

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respondents, it would be appropriate to list the petition for a hearing at admission stage itself, taking into account that agricultural land of the petitioners is at issue.

2. In view of the order dated 05/03/2019, Civil Application No.6233/2019 is rendered infructuous and therefore, disposed off.

3. In Civil Application No.7105/2018, to a direct query of this Court as to what is the interest of the applicants involved in this petition that they desire to intervene in this matter, the learned Advocate submits that they do not have a personal interest. Pleadings indicate that the issue is as regards erection of a statue of Bharatratna Dr. Babasaheb Ambedkar. As such, we do not find that the writ petition cannot be adjudicated upon without the participation of the intervention, inasmuch as, the result in the writ petition is not going to affect the intervention applicants.

4. In view of the above, Civil Application No.7105/2018 stands rejected.

5. List Writ Petition No.4707/2018 on 06/01/2022, to be called out immediately after the 'urgent admissions' board is over.

(S. G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)

sjk