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

1049 CIVIL APPLICATION NO. 6568 OF 2021

**IN
WRIT PETITION NO.4143 OF 2013**

SANDIP VIJAY KULKARNI AND OTHERS

.. Applicants

VERSUS

**THE STATE OF MAHARASHTRA
AND ANOTHER**

.. Respondents

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Advocate for Applicants: Mr K.M. Nagarkar
In-Charge GP for Respondent / State : Mr D.R. Kale
Advocate for Respondent No.2 : Mr S.R. Choukidar

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**CORAM : S. V. GANGAPURWALA &
R.N. LADDHA, JJ.**

DATE : 30-07-2021

PER COURT : -

1. This is an application filed seeking amendment in the writ petition.

2. The Writ Petition is filed challenging the notification dated 24-02-2013 thereby framing The Shree Sai Baba Sansthan Trust (Shirdi) (Appointment of Members of Management Committee and Forms of Declarations) Rules, 2013.

3. The Writ Petition is pending admission.

4. Under the present Civil Application, the petitioner seeks leave to amend and assail the notification dated 05-07-2021 amending The Shree Sai Baba Sansthan Trust (Shirdi) (Appointment of Members of Management Committee and Forms of Declarations) Rules, 2013.

5. Mr Kale, learned In-Charge G.P. submits that the present notification dated 05-07-2021 cannot be assailed in the writ petition of 2013. At the most, the petitioner can file a separate writ petition.

6. It is trite that, the merit of the amendment need not be considered at the time of deciding the amendment application.

7. The Writ Petition is not admitted. The Writ Petition is challenging the rules of 2013. The petitioner seeks amendment and challenging the amended rules. The subject matter would remain the same.

8. Even otherwise, the non-applicants will have every opportunity to controvert the averments sought to be raised by the amendment.

9. In light of the above, the present Civil Application seeking leave to amend is to that extent allowed. The amendment be

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carried out within 14 days.

10. Civil Application is disposed of.

[R.N. LADDHA]
JUDGE

[S. V. GANGAPURWALA]
JUDGE

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