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

916 CIVIL APPLICATION NO.12942 OF 2021
IN WP/13634/2018

VINU SHRIKRISHNA LAWAR AND OTHERS
VERSUS
THE STATE OF MAHARASHTRA AND ANOTHER

...
Mr V. D. Hon, Senior Advocate i/b Mr A. V. Hon, Advocate for
applicants;

Mr S. B. Yawalkar, A.G.P. for respondent No.1;

Mr P. L. Shahane, Advocate for respondent No.2

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

DATE : 3rd December, 2021

PER COURT:

1. The learned Senior Advocate submits that in the present civil application, the applicants desire to add applicant Nos.77,78,79 and 80 as the petitioners, since they are identically placed and the cause of action put forth in the petition by the petitioners, is the same as the cause of action that these petitioners are desirous of espousing. It is purely addition of the employees of the respondent since the result in the petition would affect the rights of these applicants.

(2)

2. The learned Advocate for the University has strenuously opposed the application. The contention is that the petition has been filed in November 2018. Even earlier, this Court had granted liberty for addition of the petitioners. If such applications are filed every year for addition of petitioners, it would be an endless exercise. Somewhere such addition has to be stopped. These applicants can file an individual petition and seek clubbing of the matters. If this Court is inclined to entertain the applications, heavy costs may be imposed.

3. Having considered the submissions of the learned Senior Advocate and Shri. P. L. Shahane, the learned Advocate representing the University, we do find that the contention of Mr Shahane is justified. However, if the applicants are directed to deposit the requisite Court fees and are directed to be added as petitioners, no prejudice would be caused to the respondents, except that they would be at liberty to file an additional affidavit-in-reply to the extent of the added petitioners. Even if a separate petition is filed, they would have to file such an affidavit-in-reply.

(3)

4. Considering the above and the fact that this Court had earlier granted addition of identically placed petitioners vide specific orders, this application is allowed with the following directions :-

(a) The addition of parties shall be carried out on or before 22/12/2021, on the condition that requisite Court fees shall be deposited.;

(b) The amended copy of the petition, post amendment, shall be placed on record, on or before the same date and the copies shall be supplied to the learned A.G.P. and Shri. Shahane;

(c) The University as well as the State are at liberty to enter their additional affidavits-in-reply to the extent of the added petitioners, on or before 15/01/2022.

5. List the petition in the 'admissions' category on 19/01/2022.

(S. G. MEHARE, J.)

(RAVINDRA V. GHUGE, J.)