

R.M. AMBERKAR
(Private Secretary)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 2051 OF 2021

Swati Bapu Shende .. Petitioner

Versus

State of Maharashtra & Ors. .. Respondents

- Mr. Prasad K. Dhakephalkar, Senior Advocate i/by Mr. Abhijit P. Kulkarni for the Petitioner
- Mr. A.I. Patel, Addl. G.P. for the State
- Mr. Ashutosh M. Kulkarni a/w Akanksha Helaskar, Mr. Akshay Kulkarni for Respondent No. 5

**CORAM : S.J. KATHAWALLA &
MILIND N. JADHAV, JJ.**

DATE : JULY 6, 2021.

P.C.:

Heard learned Advocates for the parties. By consent, following order is passed:-

- (i) The order dated 15.03.2021 passed by the Additional Divisional Commissioner, Pune on the Amendment Application filed under Order VI Rule XVII of the Code of Civil Procedure, 1908 by the Respondent No.5 is set aside.
- (ii) The Additional Divisional Commissioner, Pune shall hear the parties and decide the said amendment Application afresh within a period of two weeks from today.
- (ii) Parties shall appear before the Additional Divisional Commissioner, Pune on 08.07.2021 at 12.00 noon and

make their oral submissions qua the amendment application. They shall also file written submission, if any.

- (iii) Parties have agreed that upon the said amendment Application being decided, they shall forthwith proceed with the hearing of the Dispute Application No. 9 of 2020, which the Additional Divisional Commissioner, Pune will after hearing the parties and considering their oral as well as written submissions, if any, dispose of the said Dispute Application within a period of four weeks from the date of passing of the order on the amendment Application.
- (iv) The final order passed on the Dispute Application No. 9 of 2020 may be impugned by the aggrieved party. The aggrieved party whilst impugning the final order shall also be entitled to impugn the order passed on the Amendment Application.
- (v) All contentions of the parties are kept open qua both the hearings i.e. with regard to the Amendment Application as well as the Dispute Application No. 9 of 2020.
- (vi) In view of the above directions, the Writ Petition stands disposed of.

[MILIND N. JADHAV, J.]

[S. J. KATHAWALLA, J.]