

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 1725 OF 2021
in
WRIT PETITION NO. 2064 OF 2021**

Shri Vijay Ramesh Mahale

....Applicant/
Petitioner

Versus

The State of Maharashtra and ors.

....Respondents

Mr. Jayendra D. Khairnar, advocate for the applicant/petitioner.

ms. M. S. Bane, AGP for respondent No.1.

Ms. Mrinal Shelar i/b. Mr. S. S. Patwardhan, advocate for respondent No.2.

Mr. Aniesh S. Jadhav i/b. Wasif Mohammad Fuzail Akil, advocate for respondent No.3.

**CORAM : PRASANNA B. VARALE &
N. R. BORKAR, JJ.**

DATE : 20th SEPTEMBER, 2021.

P.C. :

1. By way of present amendment application, the petitioner has prayed for an amendment to the petition. It is submitted by learned counsel for the petitioner that go-bye is given to certain norms while issuing orders of appointment and favour is shown to respondent No.3. In support of this submission, learned counsel for the petitioner stated that the appointment orders placed on record show that the appointment order of respondent No.3 bears only the signature of the Commissioner of Municipal Corporation. Whereas, the appointment order issued to other candidates bear the signature of all the Committee members.

It is also submitted that the said material was received after approaching the authority under the Right to Information Act, 2005 and as the grounds sought to be raised by way of amendment have a bearing in the petition, the application be allowed.

2. Considering the fact that the petition is not yet admitted and respondent would get an opportunity to contest the petition by filing their reply even on the grounds added in the petition, the interim application is allowed and, as such, stands disposed of.

3. Amendment be carried out within two weeks. Needless to state that the copy of the amended petition be served upon all concerned within two weeks thereafter.

4. Post the petition for further consideration on **11th October, 2021.**

(N. R. BORKAR, J.)

(PRASANNA B. VARALE, J.)