

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
INTERIM APPLICATION NO. 3610 OF 2021
IN
WRIT PETITION NO.2501 of 2021**

Bhimrao Dagdu Chavan and ors.	Applicants
In the matter of	
Draupadi Baban Devadkar	Petitioner
Versus	
The Competent Authority,	
Land Acquisition and Sub-Divisional Officer	
Malshiras, Malshiras and ors.	Respondents

Mr. Anilkumar K. Patil, advocate for the applicants.
Ms. M. S. Bane, AGP for respondent Nos. 1 and 5.
Ms. Akanksha A. Helaskar, advocate for respondent Nos.2 to 4.

**CORAM : PRASANNA B. VARALE &
S. M. MODAK, JJ.**

DATE : 1st DECEMBER, 2021.

P.C. :

1. In the the cause-title of the above interim application, a reference to the applicants is made as intervenors. The prayers in the applications are as follows:

- a) That this Hon'ble Court may be pleased to recall and/or modify the Order dt. 14th October, 2021, passed in the above Petition and be pleased to direct the Org. Respondent No.1 to transfer the entire amount of Compensation to the Civil Court which is subject matter of the obstruction Application No.BhuSampadan/Kavi/679/2021.

b) That this Hon'ble Court may be pleased to allow the present Intervention Application and may be pleased to add this Applicants as party Respondents to the abovesaid Petition.

2. In so far as prayer (b) is concerned, we are unable to find any reason to entertain the same as the petition itself is admittedly disposed of and as such, nothing is pending in this Court wherein the applicants can be permitted to participate as party in general and/or as intervenors particularly.

3. Now, coming to the prayer clause (a), the applicants pray for recall or modification of the order and further seeks directions to respondent No.1 to transfer the entire amount of compensation to the Civil Court which is subject matter of the obstruction Application No.BhuSampadan/Kavi/679/2021. Again we are unable to entertain this prayer wherein a recall or modification of the order whereby the petition is disposed of by this Court assigning reasons. The petitioner may have a grievance about the order dated 14th October, 2021 but by filing miscellaneous application under the caption interim application and seeking a recall or modification of the order, whereby the petition is disposed of, is not a remedy.

4. In view of the above, we are of the opinion that the interim application is thoroughly meritless and, accordingly, the same is rejected.

(S. M. MODAK, J.)

(PRASANNA B. VARALE, J.)