

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

**CIVIL APPLICATION NO.5538 OF 2021  
IN PIL/49/2020**

**HOSPITAL WELFARE ASSOCIATION THR DR. HIMANSHU GUPTA  
VERSUS  
OMPRAKASH SADASHIV SHETE AND OTHERS**

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Advocate for Applicant : Mr. R.F. Totala  
AGP for Respondents : Mr. A.R. Kale  
Advocate for Petitioner in PIL : Mr. A.B. Girase  
Advocate for Respondent No.8 : Mr. S.D. Hussain h/f Mr. S.G.  
Chapalgaonkar

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**CORAM : R.D. DHANUKA &  
S.G. MEHARE, J.J.**

**DATED : 12<sup>th</sup> APRIL, 2022**

**PER COURT:-**

1. Heard learned counsel for the parties.
2. The civil application is filed by the Hospital Welfare Association inter alia praying for intervention in this PIL on the ground that the learned Collector, Civil Surgeon have issued various notices to the members of the applicant association proposing to take action against the members of the Association in view of the present PIL pending before this Court.
3. In view of the fact that the presence of the association would be necessary for the purpose of issuing further directions, we allow this application in terms of prayer clause (B). Applicant is

allowed to intervene in the matter.

4. The applicant is allowed to file affidavit in reply and to address the Court on various issues raised by this petitioner in PIL. In the affidavit in reply that would be filed by the applicant, list of members of the applicant association shall be annexed. We direct the petitioner to implead the applicant as one of the respondent.

5. Mr. Girase, learned counsel for the petitioner in PIL agrees to furnish the copy of the PIL along with the annexures and affidavit in reply filed by the Government, if any, to the learned counsel for the applicant within one week from today. Statement is accepted.

6. It is made clear that in view of the applications made by the applicant for impleadment, all directions and decisions that would be rendered by this Court in this PIL, if any, against the applicant association would be obviously binding on all the members of the applicant association.

**(S.G. MEHARE. J.)**

**(R.D. DHANUKA, J.)**