

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

945 WRIT PETITION NO.9126 OF 2021

**MAHENDRA CHANDRASING RATHOD AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

...

Advocate for Petitioners : Mr. Sudhir K. Chavan
AGP for Respondent / State : Mrs. V.N. Patil Jadhav
Advocate for Respondent No.6 : Mr. P.B. Patil
Advocate for Respondent No.7 : Mr. P.H. Patil

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**CORAM : MANGESH S. PATIL &
SANDEEP V. MARNE, JJ.**

DATE : 29-09-2022

PER COURT :

. Heard both the sides.

2. The petitioner is urging that respondent no.6 has made an encroachment over City Survey No.103. He submits that the respondent no.6 has filed a suit against the Gram Panchayat. A temporary injunction has been granted by the Civil Court in favour of the respondent no.6.

3. According to the petitioner, the respondent has encroached over the government property.

4. Considering the nature of the dispute, when it was put before Mr. P.B. Patil, learned advocate for the respondent no.6 as to

why the Collector should not be directed to entertain the petitioners' representation, he submits that he would add the State as well as the petitioners as a party to the suit. The learned advocate for the petitioners agrees to the proposal and requests to dispose of the petition in view of such a proposal of the respondent no.6.

5. The Writ Petition is disposed of by permitting respondent no.6 to apply for permission of the trial court to add the petitioners and the State as a party to the suit.

(SANDEEP V. MARNE, J.)

(MANGESH S. PATIL, J.)