

**CORAM: R. D. DHANUKA AND
M.G. SEWLIKAR, JJ.
DATE : 24th JUNE, 2022**

P.C:-

By this interim application, the applicant who claims to be the lessees of the petitioner in respect of the plot in question seeks impleadment as respondent nos. 8 and 9 in the writ petition.

2. Learned counsel for the petitioner does not dispute that the applicants claim his right in respect of the land in question which is subject matter of the petition and any order that would be passed by this Court, if any, in favour of the petitioner would cause prejudice to the applicants. In our view, in view of the statement made by the learned counsel for the petitioner and in view of this admitted position, the applicants would be necessary parties to the writ petition. We accordingly allow this interim application in terms of prayer clause (a). The petitioner is directed to carry out amendment within two weeks from today. Amendment also shall be carried out in the copies supplied to the respondents. The papers and proceedings shall be served upon the newly added parties within one week from the date of carrying out amendment.

3. Mr.Bodake, learned counsel for the newly added party seeks two

weeks time to file affidavit in reply. Time is granted as prayed. Affidavit in reply shall be filed within two weeks from the date of carrying out amendment by the petitioner and effecting service of the amended petition upon learned counsel for the respondent nos. 8 and 9. Rejoinder, if any, shall be filed within one week thereafter.

4. Interim application is disposed of in the aforesaid terms. No order as to costs.

5. Place the writ petition on board for admission on **28th July, 2022**.

6. The petitioner to serve the papers and proceedings upon the learned counsel for the respondents along with pending application, if any,.

7. The parties are permitted to file reply to the pending interim application bearing no. 4238 of 2021 between the same parties in advance before the next date.

[M.G. SEWLIKAR, J.]

[R. D. DHANUKA, J.]