

PMB

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**WRIT PETITION NO. 331 OF 2017
WITH
NOTICE OF MOTION (L) NO. 537 OF 2018
WITH
NOTICE OF MOTION NO. 174 OF 2018
WITH
INTERIM APPLICATION NO. 1116 OF 2022
IN
WRIT PETITION NO. 331 OF 2017**

K.S. Lakshminarasimhan and anr. ...Petitioners
V/s.
R.K. Srivastava and ors. ...Respondents

**WITH
PERJURY PETITION (L) NO. 8134 OF 2022
IN
WRIT PETITION NO. 331 OF 2017**

K.S. Lakshminarasimhan and anr. ...Petitioners
V/s.
Simon Fernandes and ors. ...Respondents

**WITH
CONTEMPT PETITION NO. 31 OF 2018
IN
WRIT PETITION NO. 331 OF 2017**

K.S. Lakshminarasimhan and anr. ...Petitioners
V/s.
K. Hemalatha and ors. ...Respondents

**WITH
IN PERSON APPLICATION NO. 137 OF 2019
WITH
IN PERSON APPLICATION NO. 138 OF 2019
WITH
NOTICE OF MOTION NO. 174 OF 2018**

Digitally
signed by
PRADNYA
MAKARAND
BHOGALE
Date:
2022.03.28
13:37:23
+0530

**WITH
NOTICE OF MOTION (L) NO. 537 OF 2018
IN
WRIT PETITION NO. 331 OF 2017**

K.S. Lakshminarasimhan and anr. ...Petitioners
V/s.

R.K. Srivastava and ors. ...Respondents

Smt. S. Mangala, Petitioner no.2-in person/applicant no.2.
Mr. Mihir Desai, senior advocate a/w Shilpa Kapil, Chidanand
Kapil for respondent nos. 5 to 9 and 13.

**CORAM: DIPANKAR DATTA, CJ &
M. S. KARNIK, J.**

DATE: MARCH 25, 2022

P.C.:

INTERIM APPLICATION NO. 1116 OF 2022

1. Interim Application No. 1116 of 2022 is an application seeking amendment of Writ Petition No. 331 of 2017. It appears that during the pendency of the writ petition, the petitioner no. 1 has been compulsorily retired from service by an order dated March 17, 2020 and an appeal carried from such order before the appellate authority has also been dismissed by an order dated September 18, 2020. By amending the writ petition, the petitioners seek to mount challenges to such orders.

2. We are of the view that for avoiding multiplicity of litigation, the amendment as prayed for in prayer clause (a) ought to be allowed. It is ordered accordingly.

3. We, however, see no reason to grant prayer clause (b) since at this stage we are of the opinion that presence of the individuals named in prayer clause (b) would not be required

for the purpose of a decision on this writ petition.

4. Interim Application No.1116 of 2022 stands disposed of. No costs.

5. Let amended writ petition be filed by three weeks. Re-verification is dispensed with.

6. The respondents shall have further three weeks' time from the date of receipt of the amended writ petition for filing reply-affidavit; rejoinder thereto, if any, may be filed by three weeks thereafter.

7. List the writ petition on **July 8, 2022** for hearing.

8. Mr. Desai, learned senior advocate for respondent nos. 5 to 9 and 13 submits that the respondent no. 4 passed away during the pendency of this writ petition.

9. We, accordingly, direct that particulars of the Respondent no. 4 be deleted from the cause title of the writ petition.

(M. S. KARNIK, J.)

(CHIEF JUSTICE)