

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

**4 CIVIL APPLICATION NO.290 OF 2023
IN FA/434/2009 WITH CA/2603/2009 IN FA/434/2009**

**AMRUT SHANKARRAO DESHMUKH AND ANOTHER
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Mr. Surendra Suryawanshi, Advocate for the applicants.

Mr. S.S. Dande, A.G.P. for respondent No.1 – State.

Mr. A.M. Karad, advocate for respondent No. 4.

Mr. Vivek Bhavthankar, Advocate for respondent No.7.

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CORAM : SANDIPKUMAR C. MORE, J.

DATED : 13.03.2023.

ORDER:-

1. Heard rival submissions. The applicants are intending to add respondent No.7 Municipal Council, Parali Vaijinath and respondent No.8 the Special Land Acquisition Office No.1 Beed as parties to these proceedings. It appears that respondent No.7 is an Acquiring Body and the acquisition was made through respondent No.8.

2. Though the learned Counsel for respondent No.7 submits that the appeal is not tenable, but this is only an application for adding party and the submissions on account of non maintainability of the appeal can be heard later on. Moreover, the learned A.G.P. can also appear on behalf of

respondent No.8. As such, the application is allowed in terms of prayer clause (B). The amendment to that effect be carried out within the stipulated period.

3. Civil Application No. 290 of 2023 is accordingly disposed of.

4. List the Civil Application No. 2603 of 2009 on 27.03.2023. The learned Counsel Mr. Bhavthankar and learned A.G.P. waive notice for respondent Nos.7 and 8 respectively in the appeal.

(SANDIPKUMAR C. MORE, J.)