

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

922 CIVIL APPLICATION NO. 317 OF 2023
IN FIRST APPEAL NO. 3275 OF 2017

GANPAT ASARAM ZINJURDE
VERSUS
THE G.M.I.D.C. LTD AURANGABAD THR THE EXECUTIVE
DIRECTOR AND EXT ENGINEER AURANGABAD AND
OTHERS

...

Mr. P.B. Salunke – Advocate for Applicant
Mr. S.P. Tiwari – AGP for Respondent No.2, State
Ms. P.P. Wangikar h/f. Mr. R.V. Gore, Mr. S.B. Madde h/f. Mr.
Anand Chawre and Mr. B.K. Pawar h/f. Mr. A.M. Hajare –
Advocates for respective Respondents

....

CORAM : SANDIPKUMAR C. MORE, J.
DATE : 6th July, 2023

PER COURT :

1. Heard rival submissions.
2. The applicant – intervenor is seeking direction to the appellant – acquiring body to add him as party respondent in the main appeal i.e. First Appeal No. 3275 of 2017.
3. It appears that, though the original land reference No.1427 of 2010 was filed by present respondent No.3 –

Maruti Asaram Zinjurde and Anr., but in the title clause the name of present applicant was not mentioned. However, in the operative part of the aforesaid land Reference, the learned Reference Court has clearly mentioned that the compensation awarded in the said land Reference is jointly awarded to Maruti Asaram Zinjurde and the present applicant. This Court vide order dated 10th January, 2023 has already directed the office not to disburse any amount to respondent No.3, Maruti Asaram Zinjurde by observing the aforesaid direction of the learned Reference Court in the operative part of award in L.A.R. No. 1427 of 2010.

4. Thus, it appears that the applicant is also a claimant in this matter and therefore, his name is required to be added as party – respondent.

5. In view of the same, the application is allowed in terms of prayer clause – B.

6. The necessary addition be carried out by appellant – acquiring body within the stipulated period.

7. The interim order dated 10th January, 2023 is continued until further orders.

[SANDIPKUMAR C. MORE]
JUDGE