

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

953 CIVIL APPLICATION NO.11197 OF 2023
IN WP/998/2022

M.R.C.T. KARMACHARI KALYAN MAHA SANGH THROUGH IT'S
PRESIDENT NAGNATH MANIKRAO PAVALE
VERSUS
NEETA SURESH DETH AND OTHERS

Mr.U.U.Wagh, Advocate for the Applicant.

Mr.A.V.Deshmukh, AGP for Respondent Nos. 1 to 4.

Mr.P.R.Nangare, Advocate for the Respondent/Petitioner in Writ
Petition.

Mr.P.G.Tambade h/f Mr.S.S.Jadhavar, Advocate for Respondent No.7.

(CORAM : RAVINDRA V. GHUGE AND
S.G.MEHARE, JJ.)

DATE : SEPTEMBER 29, 2023

PER COURT :

1. The Applicant Union has come forward seeking leave to be
impleaded as a Respondent in the Writ Petition.

2. The Writ Petition has been filed by an employee, whose
caste claim has been validated. She is still in employment. Respondent
No.7 has superannuated. The Writ Petition is pending adjudication.

3. It is well settled that an applicant can be impleaded as a Respondent, if he/she is a necessary Respondent. If the Petition can be considered and decided without the assistance of the Union and if the result of the Writ Petition would *interse* affect only the Petitioner and Respondent No.7, there is no reason to entertain the request of the Union for intervention in the proceedings. If the facts of the case were such that without the participation of Union, the Petition could not have been decided or that if the Petition is decided, the result would affect the Union, the request could have been considered.

4. In view of the above, since Respondent No.7 is represented by an Advocate and is contesting the Petition, we do not find that the Union is a necessary Respondent in these proceedings. **The Civil Application**, being devoid of any merit **is, therefore, dismissed.**

5. List the Writ Petition in the "Urgent admissions Category" on 16.10.2023.

(S.G.MEHARE, J.)

(RAVINDRA V. GHUGE, J.)