

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**INTERIM APPLICATION NO. 30285 OF 2022
IN
WRIT PETITION NO. 7115 OF 2022**

Pipeline Infrastructure Ltd	... Applicant
In the matter between	
Gangadhar Krabhari Jadhav	... Petitioner
<i>Versus</i>	
Union of India and Anr.	... Respondents

Mr. Vaibhav Sugdare and Mr. Ketan Dave, Gaurav Gangal i/b A.S. Dayal and Associates for the Applicant.

Mr. Pralhad Paranjape i/b Rahul Punjabi for the Petitioner.

Mr. Niranjana Shimpi for Respondent No. 1-UI.

Mr. A.I. Patel, Addl. GP and Ms. K.N. Solunke AGP for the Respondent-State.

Smt. Sabeena Mahadik a/w Pankaj Utharadhi and Magesh Avhale for Respondent No. 2.

**CORAM: R. D. DHANUKA AND
M.M.SATHAYE JJ.**

DATE : 9th JANUARY, 2023

PC. :-

1. The Applicant seeks impleadment as a party Respondent in the Petition on the ground that, question in regards acquisition of rights of user in land under the provisions of Petroleum and Minerals Pipeline Act, 1962, owned by the Petitioner is raised and if the issues

raised by the Petitioner in this petition are decided by this Court in favour of the Petitioner, by holding that provisions of The Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013, would apply, it would affect the rights of the Applicant[hereinafter referred to as “the said 2013 Act”].

2. Mr. Paranjape, learned counsel for original Petitioner does not dispute this issue that, if it is held by this Court that provisions of the said 2013 Act would apply to the acquisition of the right of user, Applicant would be affected, in so far as, payment of compensation is concerned.

3. In our view, Applicant is thus necessary party to this petition. Interim Application is accordingly made absolute in terms of prayer clause (a). The original Petitioner is directed to implead the Applicant as Respondent No. 3. Interim Application is disposed of in the aforesaid terms. No order as to costs.

4. Amendment to be carried out within one week from today.

Amended copy of the petition shall be served upon Respondent Nos. 1 and 2 as well as newly added Respondent within one week after amendment is carried out. Re-verification is dispensed with.

[M.M.SATHAYE,J.]

[R. D. DHANUKA, J.]