

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR**

WRIT PETITION NO. 1363 OF 2023

Shri Gajanan Maharaj Sansthan through its Managing Trustee

vs.

The State of Maharashtra and others

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Shri Arun Patil, Advocate for petitioner.
Shri Deepak Thakare, Addl. G. P. for respondent Nos.1,
15 to 19.
Shri D. M. Kale, Advocate for respondent No.20.

**CORAM : SUNIL B. SHUKRE AND
M. W. CHANDWANI, JJ.**

DATE : 02/03/2023

Heard Shri.Arun Patil, learned counsel for the petitioner, Shri.Deepak Thakare, learned Additional Government Pleader for respondent Nos.1, 15 to 19 and Shri.D.M.Kale, learned counsel for respondent No.20, who appears on waiving notice.

2. Considering the limited nature of prayer, we do not think that it is necessary for us to issue any notice to the remaining respondents and therefore, no notice has been issued to them.

3. The limited prayer sought for in this petition appears to be in the nature of alternate relief. By prayer clause (d), the petitioner has sought relief of granting them opportunity of hearing in the appeal by the State Government.

4. We are of the view that since there is already a sanctioned development plan for Shegaon City in which Shri Gajanan Maharaj Sansthan is playing a key role, as permitted by this Court from time to time, it would be necessary that Shri Gajanan Maharaj Sansthan, Shegaon is heard by the State before any order is passed in the appeal pending before it.

5. We therefore, direct the respondent No.1 to decide the application filed by the Gajanan Maharaj Sansthan, Shegaon seeking permission to join as non-applicant in the Revision Application in accordance with law and in any case within **one week** from the date of appearance of the representative of Sansthan before respondent No.1.

6. We further direct the respondent No.1 to grant opportunity of hearing to Shri Gajanan Maharaj Sansthan, Shegaon, in case the application for impleadment as necessary party is allowed by the

respondent No.1 and then decide the petitioner's application in accordance with law.

7. We grant liberty to the petitioner to appear before the respondent No.1 so as to enable it to take necessary steps in terms of this order.

8. The other issues raised are kept open.

9. Writ Petition stands disposed of in above terms.

(M. W. CHANDWANI, J.)

(SUNIL B. SHUKRE, J.)