



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

**CIVIL APPLICATION (W) NO.2762 OF 2023 IN
WRIT PETITION NO.5189 OF 2023**

Sai Pond Ash Transporting Company

vs.

Maharashtra State Power General Company Pvt. Ltd. and others.

Office Notes, Office Memoranda of
Coram, appearances, Court's Orders
or directions and Registrar's order

Court's or Judge's Order

Shri M.M.Agnihotri, Advocate with P. L. Sagdeo, Advocate for applicant/petitioner.
Shri M.P.Khajanchi, Advocate for respondent nos. 1 and 3.
Shri A.S.Fulzele, Additional Government Pleader for respondent nos. 4 and 5.
Shri M. I.Dhatrak, Advocate for intervenor.

CORAM :- A.S.CHANDURKAR AND MRS. VRUSHALI V. JOSHI, JJ.

DATE :- 8th SEPTEMBER 2023

By this application, the petitioner seeks leave to add the respondent nos. 6 to 10 in the array of parties since these respondents have interest in the pond ash which is the subject matter of the present proceedings.

2. The learned counsel appearing for the respondent nos. 1 and 3 submits that presence of the respondent nos. 6 to 10 is not necessary on the ground that there is mis-joinder of the parties.

3. Keeping the aforesaid objection open, the amendment is allowed. The same be carried out by 12.09.2023.

4. The civil application is disposed of.

Civil Application (W) No.2745/2023

Since the applicants have been implemented as the respondent nos.6 to 10, the prayer made in this civil application does not survive. It is disposed of as such.

Writ Petition No.5189 of 2023

Shri M.I. Dhatrak, learned counsel waives service of notice for the respondent nos. 6 to 10.

2. Shri M. P. Khajanchi, learned counsel appearing for the respondent nos. 1 and 3 and Shri A.S.Fulzele, learned Additional Government Pleader for the respondent nos. 4 and 5 seek time to file their affidavit-in-reply.
3. Stand over to 14.09.2023 for further consideration.

(MRS. VRUSHALI V. JOSHI, J.)

(A.S.CHANDURKAR, J.)

Andurkar.