



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

**CIVIL APPLICATION NO. 6551 OF 2024
IN
WRIT PETITION NO. 7176 OF 2011**

Lahu Ramrao Munde .. Applicant
Versus
The State of Maharashtra and others .. Respondents

Shri Subhash V. Mundhe, Advocate for the Applicant.
Shri K. S. Patil, A.G.P. for the Respondent No. 1.
Shri K. M. Suryawanshi, Advocate for the Respondent No. 2.
Ms. Rekha Choudhari, Advocate h/f Shri S. S. Choudhary
Advocate for the Respondent No. 3.
Shri Y. P. Deshmukh, Advocate, h/f Shri H. A. Joshi, Advocate for
the Respondent No. 4.

**CORAM : MANGESH S. PATIL AND
SHAILESH P. BRAHME, JJ.
DATE : 29 JULY, 2024.**

FINAL ORDER :

. Learned advocate for the respondent No. 4 tenders across
the bar reply to this application seeking amendment.

2. We have heard both the sides.

3. Though the learned advocate for the respondent No. 4 has
been opposing the request for amendment to be carried out, he
admits the fact that though the writ petition has been admitted,
no prejudice is likely to be caused to the respondent No. 4, except
the fact that she will have to now controvert the additional
pleadings. He also concedes that the proposed amendment is not

incompatible with the pleadings already made in the petition memo.

4. The only grievance being put forth by the learned advocate for the respondent No. 4 is regarding petitioner's locus in as much as he is seeking to put up a challenge to the appointment of the respondent No. 4 without being even a second or third candidate in the merit. Learned advocate also adds that the application itself is belated. Petition has been filed way back in the year 2011 and amendment has been sought now in the year 2024.

5. Once it is noted that the proposed amendment is not inconsistent with the averments which are already part of the petition memo, merely on the ground of delay it need not be rejected.

6. Keeping open the issue regarding relation back of the proposed amendment the application is allowed. The amendment to be carried out within a period of two (02) weeks from today. The respondents shall be at liberty to file additional reply within a period of two (02) weeks thereafter.

7. Civil application is disposed of.

8. List the petition for hearing on 28 August 2024.

[SHAILESH P. BRAHME, J.] [MANGESH S. PATIL, J.]
bsb/July 24