



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO.3402 OF 2024
IN
WRIT PETITION NO.14487 OF 2023

M/S. Shriram Infrastructure,
Through its Proprietor,
Sominath s/o Sandu Haral,
Age: 49 years, Occu.: Contractor,
R/o. Plot No.05, Ekta Housing Society,
Near Krishna Mangal Karyalla,
Mayur Park Road, Aurangabad,
Dist. Aurangabad.

.. PETITIONER

VERSUS

1. Om Vishwanath Rathod
Age: 23 years, Occu.: Contractor,
R/o. Pimpalgaon Kajale Tanda,
Tq. Jintur, Dist. Parbhani.
2. Wasant s/o Rambhau Rathod,
Age: 46 years, Occu.: Contractor,
R/o. Nehru Nagar, Jalna Road Jintur,
Tq. Jintur, Dist. Parbhani.
3. The State of Maharashtra,
Through Chief Secretary,
Mantralaya, Mumbai-32.
4. Add. Commissioner Water Conservation,
Soil and Water Conservation,
Region Pune.
5. Regional Water Conservation Officer,
Soil and Water Conservation
Department, Aurangabad.
6. Regional Water Conservation Officer,
Soil and Water Conservation Department,
Parbhani.
7. Executive Engineer/Under Secretary
Government of Maharashtra
Through Soil and Water Conservation
Department, Mantralaya, Mumbai-32.

.. RESPONDENTS

...
Mr. S. P. Rathod, Advocate for the applicant.
Dr. Kalpalata Patil Bharaswadkar, AGP for respondent Nos.1 to 5 – State.
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**CORAM : SMT. VIBHA KANKANWADI AND
S. G. CHAPALGAONKAR, JJ.**

DATE : 4th APRIL, 2024.

ORDER [Per Smt. Vibha Kankanwadi, J.] :-

- . Present application has been filed for intervention.
2. The present applicant prays that he be added as party respondent in writ petition, as he is the interested person.
3. Heard learned Advocate Mr. S. P. Rathod for the applicant and learned AGP Dr. Kalpalata Patil Bharaswadkar for respondent Nos.1 to 5 – State.
4. The applicant contends that he is a registered government contractor, who had submitted tender floated by the tendering authority by which in all 54 works of water conservation were consolidated and clubbed together. The main petition has been filed to challenge those consolidated tenders. The applicant is interested person. He submitted the tender on 30.11.2023 in all the works and, therefore, he says that he be added as party respondent.
5. It is not even necessary to issue notice to the respondents for the simple reason that if there is any cause of action for the petitioner,

he would be at liberty to agitate it by way of writ petition and not by way of intervention. He is not objecting to the original petitioners, but he want to object the act done by the respondent. Therefore, there is no necessity to add the applicant as respondent in the petition.

6. The civil application stands disposed of.

[S. G. CHAPALGAONKAR]
JUDGE

[SMT. VIBHA KANKANWADI]
JUDGE

scm