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

**930 CIVIL APPLICATION NO. 4612 OF 2024
IN WP/2447/2024**

**RAVI PARMANAND GALANI
VERSUS
THE STATE OF MAHARASHTRA THROUGH THE SECRETARY
AND OTHERS**

**AND
CIVIL APPLICATION NO. 4613 OF 2024
IN WP/2447/2024**

**RAVI PARMANAND GALANI
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS**

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Mr S. S. Tope, Advocate for Applicant;
Mr A. B. Girase, A.G.P. for Respondent No.1
Mr N. N. Desale, Advocate for Respondent No.2
Mr A. S. Savale, Advocate for Respondent No.4

**CORAM : RAVINDRA V. GHUGE
AND
R. M. JOSHI, JJ.**

DATE : 9th May, 2024

PER COURT:

Order in Civil Application No.4613 of 2024

1. The Applicant, who has filed this Civil Application, has preferred a Special Civil Suit No.399/2023, wherein Exhibit-5/Application is allowed, vide the order dated 28/03/2024.

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2. The learned Advocate for the Petitioner submits that the Civil Applicant has only one shop No.5 in a structure having ten shops in City Survey No.3554/B, out of which, nine shops are owned by the Petitioner. Survey No.3554/D is also owned by the Petitioner. Not a centimeter of construction by the Petitioner is in the shop owned by the Applicant. An injunction granted in his favour is not violated by the Petitioner.

3. In view of the above statement, if the Applicant is of the view that the Petitioner has violated the injunctory order, he is at liberty to bring this fact to the notice of the Trial Court under Order XXXIX Rule 2A of the Code of Civil Procedure and seek appropriate directions. The pendency of this Petition before us would not be an impediment. **This Civil Application is disposed off.**

Order in Civil Application No.4612 of 2024

4. Insofar as Civil Application No.4612/2024, seeking intervention is concerned, the learned Advocate for the Petitioner

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submits on instructions that Intervention Application can be allowed. He would add the Civil Applicant to the Writ Petition as a Respondent.

5. In view of the above, **this Civil Application is allowed.** Addition be carried out.

6. After addition as above, issue notice to the added Respondent in Writ Petition. The learned Advocate Shri. Tope waives service of notice on behalf of the added Respondent in Writ Petition.

7. Let the affidavit-in-reply be filed within six weeks from today.

(R. M. JOSHI, J.)

(RAVINDRA V. GHUGE, J.)

sjk