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

**935 CIVIL APPLICATION NO. 5477 OF 2024
IN WP/14226/2023**

**WITH
CIVIL APPLICATION NO. 7261 OF 2024
IN WP/14226/2023**

**WITH
WRIT PETITION NO. 14226 OF 2023**

**SANDEEP BALASAHEB SONTAKKE
VERSUS
CHIEF ADMINISTRATIVE OFFICER AND ANOTHER**

...

Shri Sandeep B. Sontakke, Advocate, Party In Person.
Ms.Snehal P. Kulkarni, Advocate for Respondent Nos.1 and
2/CIDCO.

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**CORAM : RAVINDRA V. GHUGE
&
Y. G. KHOBRAGADE, JJ.**

DATE :- 19th July, 2024

Per Court :-

1. By both these Civil Applications, the Petitioner in Person desires to amend the Writ Petition and add certain grounds to the pleadings, as well as the prayers. According to him, if the amendment is not allowed, a complete opportunity in presenting his case, would not be available. No loss or prejudice would be caused to the Respondents if such amendments are allowed.

2. The learned Advocate representing the Respondents/ CIDCO relies upon the affidavit in reply dated 19.07.2024, filed in Civil Application No.7261/2024. According to the CIDCO, the Petitioner is trying to twist the facts of the case. The Petitioner has not come with clean hands. The Civil Applications deserve to be rejected.

3. In our view, assailing the circular or any regulation of the CIDCO, would not mean that the Petitioner has approached the Court with tainted hands. The Petitioner desires to add to the grounds in order to assail the revised rates and the recent circular dated 20.05.2024, enhancing the rate of interest. If the amendment is not permitted, the Petitioner would not be able to deal with the said subsequent events. Per contra, if the amendment is allowed, the Respondents would get an opportunity of filing their additional affidavits in reply to counter the amended portion of the petition.

4. In view of the above and taking into account the comparative hardship, **both the Civil Applications are allowed.**

The Petitioner shall carry out the amendments in his Writ Petition, within 15 days from today. Considering the amendment, a freshly typed amended copy of the memo of the petition shall be filed, within the same time-line and copies be supplied to the learned Advocate representing the Respondents. The Respondents are at liberty to file their additional affidavits in reply to counter the amended portion, with proper pagination in continuation, within 07 (seven) days, post amendment.

5. **List the Writ Petition on 13.08.2024** for a hearing at admissions stage. The matter would be called out after the fresh admissions board is over.

kps **(Y. G. KHOBRADE, J.)** **(RAVINDRA V. GHUGE, J.)**