



* 1 *

943pilst24738o23

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

**943 PUBLIC INTEREST LITIGATION (STAMP) NO. 24738
OF 2023**

KARMYOGI SWARGIYA DR SHIVAJIRAO PATIL
NILANGEKAR TALUKA EKSANGH KRUTI SAMITI
NILANGA THROUGH

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS

...

Shri R.S. Deshmukh, Senior Advocate a/w Shri Vishwajeet R.
Jain and Shri Kunale Kale, Advocates for the Petitioner.
Shri R.S.Wani, AGP for Respondent Nos.1 to 4/State.

...

**WITH
CIVIL APPLICATION NO. 12121 OF 2023
IN PILST/24738/2023**

KASAR SHIRSI GRAM PANCHAYAT THR ITS MEMBER

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS

...

Shri S.B. Deshpande, Senior Advocate i/by J.P. Legal Associates,
for the Applicant.

...

**WITH
CIVIL APPLICATION NO. 1644 OF 2024
IN PILST/24738/2023**

KASAR SIRSHI TALUKA NIRMAN EKSANGH SANSTHA
KASAR SIRSHI THROUGH NITIN RAJENDRA ACHARYA

VERSUS

THE STATE OF MAHARASHTRA THROUGH ITS
SECRETARY AND OTHERS

...

Shri Mahesh D. Swami, Advocate for the Applicant.

...

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

DATE :- 12th April, 2024

Per Court :-

1. The Petitioner is before this Court for questioning the decision of the Government dated 18.07.2023 for the formation of the office of the Additional Tahasildar at Kasar Shirsi, Taluka Nilanga, District Latur. According to the Petitioner, the said office is inconvenient to many villages and the list of such villages, who are aggrieved, are set out at page 11 of the memo of the petition.

2. Intervention Applications are filed by the Gram Panchayat, Kasar Shirsi and the registered Trust having registration No.Latur/0000254/2023. They intend to intervene in the PIL for the reason that if the PIL is considered favourably, the rights of these Applicants would be seriously affected.

3. The PIL Petitioner has opposed the two Civil Applications.

4. Having perused the reasons cited and the controversy before us, we are of the view that a decision in favour of the Petitioner in the PIL, is likely to affect the intervention Applicants. No loss or harm would be caused to the PIL Petitioner if they are permitted to intervene. All that could happen is eventually we may conclude that they are unconcerned. However, disallowing their Applications at this stage, only to arrive at a conclusion while deciding the PIL petition that they did have some voice in this matter, that we deem it appropriate to allow the Civil Applications.

5. In view of the above, **both Civil Applications Nos.12121/2023 and 1644/2024 are allowed.** The PIL Petitioner shall add the Applicants as Respondent Nos.5 and 6. Copies of the PIL petition paper book be supplied to the learned Advocates representing the added Respondents.

6. Let the Respondents enter their affidavits in reply to the petition, on or before 26.04.2024.

7. **List the PIL petition on 02.05.2024.**

8. We make it clear that we would consider the

submissions of the Petitioner on Rule 7 A(i) of the Bombay High Court Public Interest Litigation Rules, 2010, on the next date, so also, the grounds raised by the learned AGP as regards the locus of the Petitioner in the light of the judgment delivered by this Court in ***Mrinal Shashi Shekhar Chakravorty vs. Election Commission of India, New Delhi and another, 2020 (4) Mh.L.J. 402***, would also be considered.

kps

(R.M. JOSHI, J.)

(RAVINDRA V. GHUGE, J.)