

Ajay

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO. 6938 OF 2023
WITH
INTERIM APPLICATION NO. 7154 OF 2024
IN
WRIT PETITION NO. 6938 OF 2023**

Balaso Bhimgonda Patil .. Petitioner
Versus
The State of Maharashtra
Through Shri. Malikarjun Mane, Joint District
Registrar (Stamp) Class – 1. .. Respondent

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- Mr. D.B. Patil, Advocate for Petitioner.
 - Mr. Anand Patil, Advocate for Applicant in IA No.7154 of 2024.
 - Mr. P.G. Sawant, AGP for Respondent – State.
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CORAM : MILIND N. JADHAV, J.

DATE : MAY 06, 2024.

P.C.:

1. Heard Mr. D.B. Patil, learned Advocate for Petitioner; Mr. Anand Patil, learned Advocate for Applicant – Intervenor in Interim Application No.7154 of 2024 and Mr. Sawant, learned AGP for Respondent – State.

2. Affidavit-in-Reply has been filed by the learned AGP to oppose the present Writ Petition. After perusing the said Affidavit-in-Reply, I have impressed upon learned AGP to consider the order dated 09.01.2024 passed by this Court for determination of the issue before this Court in view of the decisions of this Court which are quoted therein.

3. Mr. Anand Patil appears for the Applicant – Intervenor / original Plaintiff who is not impleaded in the present Writ Petition. He has filed Interim Application No.7154 of 2024. The said Interim Application stands allowed considering that the Applicant – Intervenor is the Plaintiff before the Trial Court and is a proper and necessary party to the present Writ Petition.

4. Petitioner is directed to amend the Writ Petition and implead the Plaintiff as proper and necessary party. Amendment shall be carried out within a period of four weeks from today. Re-verification stands dispensed with. Copy of the amended Writ Petition title shall be served on Mr. Anand Patil.

5. Parties are directed to complete their pleadings, Affidavit-in-Reply and also considering the legal position enumerated herein above.

6. Interim Application No.7154 of 2024 stands disposed.

7. Place the Writ Petition on Board on **19th June, 2024.**

[MILIND N. JADHAV, J.]