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

WRIT PETITION NO. 5242 OF 2024

~~Pandurang Rama Patil~~ (Deceased)
Through his Legal Heirs and Ors.

.. Petitioners

Versus

The Executive Engineer, PWD and Ors.

.. Respondents

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- Ms. Mohini Thorat a/w. Ms. Sheetal Redekar i/by S.S. Redekar for the Petitioners.
 - Mrs. V.S. Nimbalkar, AGP for Respondents – State.
 - Ms. Kalyani Mangave, Advocate i/by Mr. Manoj Patil, Advocate for Intervenor - Grampanchayat Hadalge.

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CORAM : MILIND N. JADHAV, J.

DATE : MAY 10, 2024.

P.C.:

1. Heard Ms. Thorat, learned Advocate for Petitioners; Mrs. Nimbalkar, learned AGP for Respondents – State and Ms. Mangave, learned Advocate for Intervenor.

2. The directions contained in the order dated 05.04.2024 and 19.04.2024 have been complied with by Respondent Nos.1 to 4 and an appropriate Affidavit-in-Reply has been filed. Copy of the same has been given to the Writ Petitioners.

3. Today, Ms. Mangave, learned Advocate enters appearance on behalf of the concerned Grampanchayat for whom the structure is being built by the Respondents. She would submit that the Grampanchayat is a proper and necessary party to the Petition and it

will be in a position to place on record appropriate details with regard to the issue. After hearing the submissions, I am of the opinion that the Grampanchayat should be impleaded as a party to the Petition. Hence Petitioners are directed by this Court to implead the Grampanchayat, Village Hadalge as Respondent No.5. Petitioners shall carry out the amendment to that effect within a period of two weeks from today. Re-verification stands dispensed with. Copy of the Petition with amended cause title shall be served on the newly added Grampanchayat i.e. Respondent No.5 within a period of one week thereafter. Grampanchayat, if so desired can file its Affidavit-in-Reply within a period of one week thereafter.

4. Ms. Thorat, learned Advocate for the Petitioners expresses her desire to file Affidavit-in-Rejoinder. Leave to file Rejoinder Affidavit is granted by the Court. Copy of Rejoinder shall be served on all parties in advance.

5. Parties are directed to complete their pleadings and exchange them before the next date.

6. In the meanwhile, the order dated 05.04.2024 shall stand continued.

7. Stand over to **18th June, 2024.**

[MILIND N. JADHAV, J.]