

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

**INTERIM APPLICATION NO. 1611 OF 2024
IN
WRIT PETITION NO. 4745 OF 2011**

Shashi Mishra and Others ... Applicants

IN THE MATTER BETWEEN

Shashi Mishra and Others ... Petitioners

versus

State of Maharashtra and Others ... Respondents

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Ms.Prachi Khandge i/b. M.P.Vashi & Associates for the Applicants.

Mr.N.C.Walimbe, Addl.GP with Ms.Tejas Kapre, AGP for Respondent
Nos. 1, 4, 5 and 6-State.

Mr.Shubham Misar for Respondent Nos. 2 and 3.

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CORAM : RAVINDRA V. GHUGE

&

ASHWIN D. BHOBE, JJ.

DATE : 13TH DECEMBER, 2024

P.C.:

1. We have considered the vehement submissions of the learned Advocate appearing on behalf of Respondent Nos. 2 and 3, Management. We have perused the contents of the Application by which the Petitioners seek leave to amend. We have recorded the chequered history of litigation between the parties. The Petition had resulted in a

judgment favorable to the Petitioners. In review, the judgment was recalled and the Writ Petition of 2011 was restored. The Petitioners approached the Hon'ble Supreme Court and the Special Leave Petition was withdrawn.

2. Considering the above events and the passage of time, we find that it would be appropriate to permit the Petitioners to amend the Petition so as to give them an opportunity of putting forth their best case. The Respondents are at liberty to file an additional affidavit in reply for opposing the amended portion of the Petition.

3. In view of the above, **this Interim Application is allowed.**

4. The proposed amendment set out in the Schedule, at page No. 12, be carried out, on or before 10th January, 2025.

5. A freshly typed amended copy of the memo of the Petition be placed on record within the same timeline and copies be served on the Respondents' Advocates.

6. The Respondents are at liberty to file an additional affidavit in reply, on or before 24th January, 2025.

7. List Writ Petition No. 4745 of 2011, on 20th February, 2025
for a final hearing.

(ASHWIN D. BHOBE,J.)

(RAVINDRA V. GHUGE, J.)