

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

INTERIM APPLICATION NO.13857 OF 2024
IN
WRIT PETITION NO.12833 OF 2024

Shree Chhatrapati Shivaji
Education Society Throu. Its
Sec. Soniya Jaykumar Gore

...Applicant

VERSUS

Shree Chhatrapati Shivaji
Education Society Dharwad
Thr. Its President And Ors

...Respondents

INTERIM APPLICATION NO.13084 OF 2024
IN
WRIT PETITION NO.12833 OF 2024

Smt. Soniya Jaykumar Gore

...Applicant
/Intervener

IN THE MATTER BETWEEN

1. Shri. Chatrapati Shivaji Education
Society, Dharwad & Ors.

...Petitioner

VERSUS

1. National Commissioner for Indian
System of Medicine & Ors.

...Respondents

...

Mr. A. A. Kumbhakoni, Senior Advocate a/w. Mr. Vishwajeet V.
Mohite, Mr. Sidharth R. Karpe & Mr. Manoj Badgujar, Advocate for
the Applicant in both Applications.

Mr. Akshay Pai & Ms. Siddhi Bhosale, Advocate for the Petitioner.

Dr. Birendra Saraf, Advocate General a/w. Mrs. Reena A. Salunkhe,
Assistant Government Pleader for the Respondent-State.

Mr. Pankaj P. Deokar, Advocate for the Respondent No.3-Zilla
Parishad, Satara.

Mr. Shrikrishana Ganbavale i/b. Mr. Shantanu Patil, Advocate for the Respondent No.1.

...
**CORAM : A.S. CHANDURKAR &
RAJESH S. PATIL, JJ**

DATE : 17th OCTOBER, 2024.

PC. :

INTERIM APPLICATION NO.13084 OF 2024

1. By this Application, the applicant prays leave to intervene in the present proceedings and be arrayed as respondent No.5. In the Interim Application, it is sought to be stated that the Writ Petition as filed is neither maintainable nor entertainable. The relevant decision of the Supreme Court in that regard are sought to be relied. Since the applicant is a necessary and proper party, it is stated that she may be impleaded in the present proceedings.

2. The Application is opposed by the Petitioners by filing affidavit in reply. Along with affidavit in reply, a copy of the judgment dated 8th May 2024 in SLP (C) No. 6500 of 2024 (Shree Chhatrapati Shivaji Education Society, Dharwad & Anr V/s. National Commissioner for Indian System of Medicine & Ors.) has been annexed. It is further submitted in the absence of any averments to indicate the locus of the applicant, the prayer does not deserve to be granted.

3. We have perused the Interim Application and we do not find any legal ground to support the prayer for intervention. In absence of any locus of the applicant being indicated, the prayer cannot be granted. We also note that the dispute between the applicant and the

petitioners with regard to the management of the College was the subject matter of consideration in Shree Chhatrapati Shivaji Education Society, Dharwad & Anr (supra). In the light of what has been observed in paragraph Nos.12 and 15, the prayer in the Interim Application cannot be granted. The Application is therefore rejected.

4. It would however be open for the applicant to assist the respondents who oppose the prayers made in the Writ Petition.

INTERIM APPLICATION NO.13857 OF 2024

Interim Application No.13857 of 2024 is for vacating stay. In view of the order passed in Interim Application No.13084 of 2024, this Interim Application does not survive.

WRIT PETITION NO.12833 OF 2024

1. List under the caption “For Admission” on 21st October 2024 after urgent matters.

[RAJESH S. PATIL, J.]

[A.S. CHANDURKAR, J.]