



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

912 CIVIL APPLICATION NO. 11591 OF 2024

IN

WRIT PETITION NO. 15279 OF 2023

WITH

WRIT PETITION NO. 15279 OF 2023

SHAFIK KHA SAHEBKHA PATHAN AND OTHERS

....Applicant

VERSUS

**THE STATE OF MAHARASHTRA THROUGH ITS SECRETARY AND
OTHERS**

.....Respondent

.....

Advocate for Applicant : Mr. Khandare Nandkumar Bhagwanrao

AGP for Respondents-State : Mr. M. K. Goyanka

Advocate for Respondent No. 9 : Mr. P. R. Katneshwarkar Seniour

Advocate i/by Mr. D. B. Kale

.....

**CORAM : MANGESH S. PATIL &
PRAFULLA S. KHUBALKAR , JJ.**

DATE : 03.01.2025

PER COURT :

By way of this application, petitioners are seeking amendment of the petition, which is still to be admitted. The learned Senior advocate Mr. P. R. Katneshwarkar for respondent No. 9 submits that though the prayer is innocuous, he would oppose the application in the light of the observations made in the first order

dated 08.01.2024, raising an issue regarding maintainability of the petition.

2. Issue regarding maintainability of the petition is not likely to be circumvented by the amendment proposed to be made.

3. The writ petition is still to be admitted, the respondents will have every opportunity to even contest factually the amended portion.

4. The application is allowed to the extent seeking amendment.

(PRAFULLA S. KHUBALKAR, J.)

(MANGESH S. PATIL, J.)

jhs/