

Jvs.

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

WRIT PETITION NO. 6692 OF 2013

JAYANT
VISHWANATH
SALUNKE

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JAYANT
VISHWANATH
SALUNKE
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Shivaji Daji Dandge & Anr.	}	Petitioners
versus		
M/s. Samruddha Jivan Foods	}	Respondents
India Ltd. & Ors.	}	

Mr. Graham Francis i/b. Mr. Vishwanath Talkute
for petitioners.

Mr. R. M. Shinde, AgP for respondents 1 & 2.

CORAM: ALOK ARADHE, CJ.

DATE: JULY 15, 2025

ORAL ORDER:

1. In this petition under Article 227 of the Constitution of India, the petitioners have challenged the validity of the order dated 8th August 2012, by which the application seeking impleadment has been allowed. The petitioners have also challenged the order dated 7th February 2013, by which he application filed by the petitioners was also dismissed.

2. The main ground on which the challenge has been made to the impugned orders is that the impugned order dated 8th August 2012 has been passed without giving an opportunity of hearing to the petitioners. The petitioners thereafter submitted an application seeking hearing of the matter, which has been rejected by the impugned order dated 7th February 2013.

3. I have heard learned counsel for the petitioner.

4. Since the impugned orders have been passed without giving an opportunity of hearing to the petitioners, therefore, the orders dated 8th August 2012 and 7th February 2013 are quashed and set aside. The Trial Court is directed to decide the application for impleadment afresh by giving an opportunity of hearing to the parties.
5. With the aforesaid direction, the writ petition is disposed of.
6. Let a copy of this order be communicated to the Trial Court forthwith.

(CHIEF JUSTICE)