

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 382 OF 2023
WITH
INTERIM APPLICATION NO. 165 OF 2024

Asif Mohd. Ismail Qureshi & Anr.

...Petitioners

Vs.

State of Maharashtra & Ors.

...Respondents

Mr. Joel D'Souza with Mr. Ivor Peter D'Cruz, Mr. Pierre Fernandes, Ms. Elaine Fargose and Ms. Rupali Singh i/b. Mr. Ivor Peter D'Cruz for Petitioner No.1.

Mr. Himanshu Takke, AGP for State.

Mr. Satish Muley with Mr. Mosin Naik and Mr. Zhoab Sayyed for Respondent Nos.4 to 6.

CORAM: G. S. KULKARNI &
AARTI SATHE, JJ.

DATE: 15 SEPTEMBER 2025.

P.C.

1. We are informed by Mr. D'Souza, learned counsel for petitioner no.1 that petitioner no.2 intends to engage another advocate. It cannot be that in the same petition, two petitioners are represented by two advocates. We accordingly permit deletion of petitioner no.2 with liberty to petitioner no.2 to file appropriate proceedings. All contentions in that regard are expressly kept open. Amendment be carried out during the course of the day. Re-verification is dispensed with.

2. Interim Application No.165 of 2024 is filed praying that petitioner no.2 be permitted to be transposed as Respondent No.7. We have already observed that petitioner no.2 is not inclined to continue as the petitioner in the present

proceedings and hence, we have deleted his name. The prayer of applicant/petitioner no.1 is that he be permitted to transpose petitioner no.2 as respondent no.7.

3. Having perused the memo of the interim application, we are of the opinion that the prayers made in the interim application are required to be granted. We accordingly allow the interim application in terms of prayer clauses (a) and (b). Re-verification is dispensed with.

4. Interim application stands disposed of in the aforesaid terms. No costs.

5. Copy of the amended petition be served on all the parties. Let reply affidavit to the petition be placed on record.

6. List the proceedings on **06 October 2025 (H.O.B.)**.

7. There shall not be any other extension to file reply affidavit as at this very instance, we are granting larger time to enable the advocate for the respondents to place their reply affidavits on record.

(AARTI SATHE, J.)

(G. S. KULKARNI, J.)