



**IN THE HIGH COURT OF JUDICATURE AT BOMBAY,
NAGPUR BENCH, AT NAGPUR.**

CIVIL APPLICATION (CAW) NO.1146 OF 2024

IN

WRIT PETITION NO. 2236 OF 2024

(Marwah & Co. and others ..vs.. The Territory Manager (Retail), Bharat Petroleum Corporation Ltd.,
Nagpur and others)

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. Rohan Chhabra, Counsel for the petitioners,
Mr. A.V. Khare, Counsel for respondent Nos.1 and 2,
Mr. V.A. Bramhe, Counsel for respondent Nos.3 to 5,
Mr. M.R. Sharma, Counsel for the applicants/intervenors.

**CORAM : AVINASH G. GHAROTE &
ABHAY J. MANTRI, JJ.**

DATE : 10-02-2025

The applicants/intervenors moved this application to add them as party respondents. The applicants claimed that they owned the open plot bearing No.8-A. The lease executed in favour of respondent No.2 expired in 2003, so the lessee has no right in the open plot.

2. The other side objected to the application on the grounds that the applicants/intervenors are not concerned about the reliefs claimed in the petition and, therefore, they are not necessary parties.

3. Having heard both the parties and perused the record, it seems that the applicants, being the owners of the land, have the right and interest in the open plot. Besides, as per the judgment of this Court in Writ Petition No.8508/2022 (Vijay s/o Harinarayan Choudhary v. M/s. Indian Oil Corporation Ltd. And others) decided on 28-06-2023, their

rights have been covered. Therefore, they can be said to be interested parties. Hence, they are proper parties to the petition. As against this, we do not find substance in the contention of the learned Counsel for the petitioners in that regard. As such, we allow the application. The petitioners are directed to add the applicants as respondents No. 6 to 10 to the petition.

Writ Petition No.2236/2024

Mr. M.R. Sharma, learned Counsel, waives service of notice on behalf of the respondent Nos.6 to 10.

(ABHAY J. MANTRI, J.)

(AVINASH G. GHAROTE, J.)

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