



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 4576 OF 2024

Smt. Bharti wd/o. Bharat Bajoria and another

..VS..

Prashant Bhagwandasji Bajoria 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. Sukrut S. Sohoni, Advocate for Petitioners.

Mr. A. B. Patil, Advocate with Mr. A. B. Nakshane, Advocate
for Respondent Nos.5 and 6.

Mr. M. I. Dhattrak, Advocate for Respondent Nos.7 to 11.

CORAM : SMT. M.S. JAWALKAR, J.

DATED : 24th APRIL, 2025

1. Heard learned Counsel for the Petitioners and
learned Counsel for the Respondents.

2. It is contended by the learned Counsel for the
Respondents that the Petition has become
infructuous as relief claimed is against the Revenue
Authorities. However, in view of judgment passed in
Civil Application (CAF) No.1927/2024 in *First
Appeal (St.) No.8383/2024*, this Court already
allowed the application filed by Respondent No.1 for
withdrawal of amount by permitting 50% of
deposited amount by the Railway Authorities, as per
direction given in para 11 of the said judgment
dated 20.01.2025. As such, issue about

compensation or impleadment of Railway Authority does not survive.

3. It is also a matter of record that some land was acquired by the National Highway Authorities, in view thereof, the Petitioners in the claim seeks permission to amend the plaint by adding the National Highway Authorities as party defendant Nos.11 and 12. After going through the application, in my opinion, there will be no prejudice in addition of pleadings.

4. At this juncture, learned Counsel for the Petitioners seeks permission to place on record a fresh proposed amendment so as to avoid unnecessary pleadings.

5. List the matter on **25.04.2025**, high on board.

6. Steno copy of order be supplied to the learned Counsel for the parties.

(SMT. M.S. JAWALKAR, J.)