

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

PUBLIC INTEREST LITIGATION NO. 127 OF 2006

WITH

CIVIL APPLICATION NO.91 OF 2009

IN

PUBLIC INTEREST LITIGATION NO. 127 OF 2006

Nagrik Chetna Manch

..Petitioner

Vs.

The Municipal Corporation of the City
of Pune and Ors

..Respondents

WITH

PUBLIC INTEREST LITIGATION NO. 19 OF 2009

WITH

CIVIL APPLICATION NO.261 OF 2013

IN

PUBLIC INTEREST LITIGATION NO. 19 OF 2009

Santosh Lalji Pande

..Petitioner

Vs.

Vinayak Mahadev Nimhan

..Respondents

WITH

PUBLIC INTEREST LITIGATION NO.241 OF 2009

Sham Prabhakar Deshpande

..Petitioner

Vs.

The State of Maharashtra and Ors

..Respondents

Ms Kiran Bagalia i/b Mr. Anil Subramaniam,for the Petitioner.

Mr. P. K. Dhakephalkar, Senior Advocate a/w Mr. Rajdeep S. Khadapkar, for Respondent Nos.1 to 3.

Mr. D. J. Khambata-Advocate General a/w Mr. N. P. Deshpande,AGP-State and Mr. Afroz Shah-State,for Respondent No.4.

Mr.Prasad Dani i/b J. Shekhar and Co,for Respondent No.5.

Mr. Omkar Warange a/w Mr. Dushyant Purekar,for Respondent No.6.

Mr. Sadashiv G. Deshmukh, for Respondent No.7.

Mr. Nikhil Chavan i/b Mr. Vijay Patil,for Respondent No.13.

CORAM :- S. J. VAZIFDAR &
B. P. COLABAWALLA, JJ.
DATE :- FEBRUARY 14, 2014.

P. C.:

The petitioner is at liberty to amend the petition by impugning the order dated 17th October 2011 of the Municipal

Commissioner of Pune Municipal Corporation (P. M.C.) exonerating the City Engineer, Deputy City Engineer and Assistant Engineer. It is necessary to do so.

2 It is not possible to consider a challenge to the order without the petition being amended and affording the persons concerned an opportunity of dealing with the allegations.

3 The petitioner is also at liberty to amend the petition to challenge the decision taken by the State Government regarding the Municipal Commissioner of P. M. C. The State Government's decision is not to initiate any action against the then Commissioner of the P. M. C. The stand taken by the State Government has been placed on an affidavit of 3rd February 2012.

4 S. O. to 21.03.2014.

(B. P. COLABAWALLA, J.)

(S. J. VAZIFDAR, J.)