

**ORDER PASSED BELOW EXH. NO.20 IN R.C.S. NO.32/2025****Gajanan Shankar Shete****Vs****Bhor Nagar Parishad through its Chief Officer**

(Passed on 11/06/2025)

01. The present application is filed by proposed third party applicants — Shri Waghjai Devi Mandir Trust, Bhor through its trustees Shri Yashwant Baburao Dal and Shri Ramesh Akhraj Oswal praying for impleadment as defendant no. 2 in the present suit. It is the contention of the applicants that the suit property i.e., Gat No. 79/1B includes part of the land over which the Trust claims ownership and possession to the extent of 29R. It is submitted that the Waghjai Devi Temple is a religious and public place of worship, declared as a Grade-C pilgrimage site by the Government, and is visited by a large number of devotees. A cultural hall is also constructed on the temple premises. The Trust submits that there is an existing historical water channel (nala) flowing through Gat No. 265 adjoining the temple, part of which has been covered by an RCC slab for public convenience.

02. The Trust further submits that the RCC nala construction under the Maharashtra Suvarna Jayanti Nagrotthan (District-level) (महाराष्ट्र सुवर्ण जयंती नगरोत्थान( जिल्हास्तरीय) योजना) Scheme is being carried out with due administrative and financial sanction by the Bhor Municipal Council, in public interest. The applicants assert that any order of injunction in the suit may seriously affect the functioning of the temple, the health and hygiene of the devotees

and local residents, and may hinder the implementation of a government-sanctioned public utility project.

03. The plaintiff filed his say at Exh. 32 and opposed the application stating inter-alia that the third party applicants have no *locus-standi* and that no relief is sought against them in the plaint. The plaintiff has also contended that the applicants have no ownership interest in the suit property, and that the Bhore Municipal Council, as the sole defendant, is competent to defend the public cause.

04. Heard both parties. Perused the whole record along with application and say. On considering the nature of the suit and the subject matter involved, it appears that the applicants have shown a prima facie interest in the adjoining property which is allegedly affected by the ongoing dispute, particularly concerning the RCC nala construction. The applicants have claimed to be owners in possession of a portion of the land forming part of the *nala*, and the issue at hand may directly impact their rights and obligations.

05. Moreover, the applicants have sufficiently demonstrated that their participation is necessary for a complete and effective adjudication of the issues involved, especially in light of the public utility development and the asserted inconvenience likely to be caused to the devotees and surrounding community. Therefore, this Court is of the opinion that the presence of the third party applicants is essential for the just decision of the matter. Hence, following order

is pass-

**-: ORDER :-**

1. The application is hereby **allowed**.
2. The third party applicants i.e.  
(a) Shri Yashwant Baburao Dal, age-57 years, Trustee,  
(b) Shri Ramesh Akhraj Oswal, age 62 years, Trustee,  
both representing Shri Waghjai Devi Mandir Trust, Bhore, having office at Waghjai Devi Mandir, Waghjainagar, Bhore, Tal. Bhore, Dist. Pune, are hereby joined as defendant no. 2 in the present suit. Plaintiff is directed to carry out the proposed amendment within the period of 14 days.
3. The plaintiffs shall also file appropriate amended copy of the plaint.
4. Defendant No. 2 to file Written Statement, if any, within 30 days from today.

**Pune.**  
**Date : 11-06-2025**

**[Smt.Meena W. Jadhav]**  
**Jt. Civil Judge, Jr.Div., Bhore**

**CERTIFICATE**

I affirms that the contents of this P. D. F. file order are same word for word as per original order.

Name of the pt :- Hon'ble Smt. Meena W. Jadhav  
Court C.J.J.D. & J.M.F.C., Bor, Pune  
Name of the Steno :- M. S. Kondhare L.G.  
Date of Order :- 11/06/2025  
Signed by P.O. :- 13/06/2025  
Order uploaded on :- 13/06/2025