

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO.5073 OF 2018**

**WITH**

**INTERIM APPLICATION NO.17268 OF 2023**

**WITH**

**CIVIL APPLICATION NO.800 OF 2019**

Yogeshchandra Shantaram Bhoir & Anr

...Petitioners

Versus

The Union of India, through the Under Secretary & Ors. ...Respondents

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Mr. Amogh Karandikar for Petitioners.

Mrs. Shehnaz V. Bharucha for Respondent Nos.1, 2 and 3.

Mr. D. P. Singh a/w Mr. G. R. Sharma for Respondent Nos.4 & 5

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**CORAM : K. R. SHRIRAM &**

**Dr. NEELA GOKHALE, JJ.**

**DATED : 18<sup>th</sup> APRIL 2024**

**PC. :**

1 In view of what is stated in paragraph 5 of the affidavit of one Mr. Dattatray Digambar Lolge, Senior Divisional Engineer (N.E.), Central Railway, Mumbai, dated 16<sup>th</sup> March 2020 in Civil Application No.800 of 2019, Mr. Karandikar, without prejudice to petitioners' rights and contentions seeks leave to implead, (a) State of Maharashtra, through Executive Engineer and (b) Public Works Department and Deputy Engineer, Public Works Sub-Division No.1, as respondents to the petition. Leave to amend granted. Amendment to be carried out and amended petition to be served on respondents as well as newly added respondents within one week from today.

2 Ms Bharucha states that she will also take instructions before the next date and submit atleast three days before the next date an affidavit explaining how the construction of Rail Over Bridge (ROB) over the railway tracks or Rail Under Bridge (RUB) can be built and the time that would be taken for completion of the project. We would expect respondents, particularly railway authorities to be sensitive to the needs of petitioners as well as the villagers of Vashind, who have been pleading for ROB or RUB and had even filed a PIL being No.56 of 2016.

3 Stand over to 2<sup>nd</sup> May 2024.

**(Dr. NEELA GOKHALE, J.)**

**(K. R. SHRIRAM, J.)**