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

MISC. CIVIL APPLICATION NO.22 OF 2008

Mr. Ravindra M. Kadam
(Advocate General of Maharashtra)

.. Applicant.

Versus

Shri Shivram D. Rokade & Others

.. Respondents

WITH

CIVIL APPLICATION NO.178 OF 2018

IN

MISC. CIVIL APPLICATION NO.22 OF 2008

Shri Dilip N. Rokade

.. Applicant.

Versus

Mr. Ravindra M. Kadam
(Advocate General of Maharashtra)

.. Respondent

Adv. A. R. Patil, Add. G. P. for the Applicant in MCA No. 22 of 2008
for the Applicant.

Adv. Chaitanya Nikte with Adv. Prajit Sahane, for Respondent No.5 in
MCA and for the Applicant in CAO No.178 of 2018.

**CORAM: B. P. COLABAWALLA &
 FIRDOSH P. POONIWALLA, JJ.**

DATE: JULY 10, 2025

P. C.

1 In the above Miscellaneous Civil Application filed by the Advocate General of Maharashtra under the Maharashtra Vexatious Litigation (Prevention) Act, 1971, an ad-interim order was passed on 9th June, 2015 whereby it was directed that all proceedings filed by the Respondent after the above Miscellaneous Civil Application was admitted, were stayed. It is in light of this ad-interim order that the above Civil Application No. 178 of 2018 (“CA”) is filed, seeking leave of this Court to continue and pursue Writ Petition No. 8082 of 2014 and Writ Petition No. 11270 of 2013, and which were pending in this Court on the date when the above CA was filed. It appears that subsequently, the learned Single Judge of this Court has passed an order on 6th March, 2025 dismissing both the above Writ Petitions [in light of the order dated 9th June 2015], with liberty to revive the above Writ Petitions by moving an appropriate application if the order passed in the above Miscellaneous Civil Application is set aside and the right is accrued in favour of the Petitioner to institute proceedings.

2 The learned Counsel appearing on behalf of the Original Complainants, as whose instance, the Advocate General has filed the above Miscellaneous Civil Application, states that before the above CA [seeking leave to proceed with Writ Petition No. 8082 of 2014 and Writ Petition No. 11270 of 2013] is heard and decided, he needs to be made a party to the

above CA and also be heard. In this regard, he brought to our attention the Maharashtra Vexatious Litigation (Prevention) Rules, 1976 and more particularly Rules 15 and 16 thereof.

3 Faced with this situation, the learned Counsel appearing on behalf of the Applicant in the above CA (Mr. Dilip Nana Rokade) stated that he would join the Original Complainants as Respondent Nos. 6 and 7 to the above CA.

4 In light of the aforesaid statement, we direct that the Original Complainants shall be joined as a party Respondent Nos. 6 & 7 in the above CA. This amendment shall be carried out within a period of one week from today. Once they are made parties, a copy of the above CA shall be served on the newly joined Respondent Nos. 6 & 7 immediately after the amendments are carried out.

5 The learned advocate appearing on behalf of the Original Complainants, and who are now joined as Respondent Nos. 6 & 7, states that the said Respondents shall file their Affidavit in Reply to the above CA within a period of one week of the amended copy of the CA being served on the said Advocate. The said statement is accepted.

6 We now place CA No. 178 of 2018 on 31st July, 2025.

7 This order will be digitally signed by the Private Secretary/
Personal Assistant of this Court. All concerned will act on production by fax
or email of a digitally signed copy of this order.

[FIRDOSH P. POONTIWALLA, J.]

[B. P. COLABAWALLA, J.]