

IN THE HIGH COURT OF JUDICATURE OF BOMBAY
BENCH AT AURANGABAD

WRIT PETITION NO.3788 OF 2014

Vitthal Gyanoba Wankhede

..PETITIONER

VERSUS

The State of Mah. & ors.

..RESPONDENTS

Mr M.D. Narwadkar, Advocate for petitioner;
Mr D.R. Korde, A.G.P. for respondents no.1 & 2

CORAM : N.W. SAMBRE, J.

DATE : 21st April, 2015

ORAL ORDER :

Perused the order impugned dated 29th January, 2014, whereby the claim for amendment under Order VI, Rule 17 of the Code of Civil Procedure, came to be partly rejected.

2. It is the case of the petitioner that the co-owners were inadvertently not added as party/claimants and sought amendment to that effect.

3. In addition to above, certain other amendments sought for were granted by the Reference Court, however, the Reference Court rejected the prayer for addition of parties as claimants, for various reasons stated in the order impugned. Admittedly, if the amendment sought for is granted, the claim of the proposed claimants, which is barred by limitation,

will be brought within time. Apart from above, the Reference Court has recorded sufficient reasons for rejection thereof.

4. In view of above, no illegality is noticed in the impugned order. Writ Petition thus fails and stands dismissed with no order as to costs.

(N.W. SAMBRE, J.)

amj