

WRIT PETITION NO. 3460 OF 2015

Mr. B.L. Sagar Killarikar, Advocate for petitioner
Mr. H.V. Tungar, Advocate for respondent no. 1

1. After hearing parties, it appears that petitioner-defendant no. 16 had applied for amendment on the assumption that regular civil suit no. 421 of 2003 referred to in the amendment application has been terminated in terms of settlement. However, it so appears that said suit had been subsequently taken for hearing and had been disposed of.
2. In view of the same, learned counsel for the petitioner submits that he will file appropriate application taking into account events as have been submitted on behalf of the respondents in the present petition and seeks liberty to file such application before the trial court.

4. In view of above, writ petition is disposed of with liberty to the petitioner to file appropriate application before the trial court. Earlier amendment application as such should be deemed to have been withdrawn with such liberty. The application being made pursuant to the liberty be considered on its own merits without being influenced by disposal of earlier application for amendment and the writ petition.

SUNIL P. DESHMUKH, J.

pnd