

FARAD CONTINUATION SHEET

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 3653 OF 2015
Sawaji Alias Shahaji Ramchandra Patil & anr.
vs.
Rukmini Anant Kurane (Since deceased
and deleted) & ors.

Office Notes, Office
memorandum of Coram,
appearance, Court's
orders or directions &
Registrar's orders.

Court's or
Judge's orders.

Mr. Joel J. Carlos for the Petitioners.

CORAM : M. S. SONAK, J.

DATE : 9 April, 2015.

P.C. :-

1] Not on board. Upon production, taken on board.

2] The impugned order dated 29 November 2014 has partly allowed the petitioners' application for amendment. However, the amendment, on the basis of purchase of shares from the alleged co-owners of the suit property has not been allowed. In the year 2009 also, on the basis of such purchase effected in the year 2003, leave to amend was applied for. However, the same was rejected by the order dated 10 November 2009. This order was not challenged by the petitioners.

3] In such circumstances, there is no reason to interfere with the impugned order, at this stage. However, if

the appeal is decided against the petitioners and if the petitioners choose to take further proceedings against the same, the petitioners shall, in such proceedings, be at liberty to impugn the order dated 29 November 2014, to the extent it has denied the petitioners leave to amend.

4] With the aforesaid observations, this petition is disposed of. There shall be no order as to costs.

(M. S. SONAK, J.)