

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

WRIT PETITION NO.7258 OF 2015

Shri. Krishnakumar Chintaman Kulkarni .. Petitioner

Versus

Anil Vinayak Joshi and others .. Respondents

Mr. N. P. Deshpande, for the Petitioner.

CORAM : R.M. SAVANT, J.

DATE : 20th AUGUST, 2015

PC.

1. The Writ Jurisdiction of this Court is invoked against the order dated 02.07.2015 passed by the Learned Joint Civil Judge, Senior Division, Satara, by which order the application Exh.90 filed by the Petitioner for amendment of the plaint came to be rejected. The Petitioner sought an amendment to array the heirs of one Shivram Joshi as part defendants to the suit in question. The case of the Petitioner that he became aware of the names of the heirs only prior to the amendment application being filed was not accepted by the Trial Court. In view of the averments which are appearing in the plaint as originally filed, wherein the family tree of one Dattatray Joshi has been stated. The Trial Court has also rejected the said application on the ground that having regard to the nature of the suit the heirs of the said Shivram Joshi are not necessary to

be joined as defendants to the suit. In my view, having regard to the reasons mentioned by the Trial Court in the impugned order, no case for interference in the Writ Jurisdiction of this Court is made out. The Writ Petition is accordingly dismissed.

[R.M. SAVANT, J]