

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

WRIT PETITION NO.2847 OF 2014

National Rayon Corporation Limited

Now known as NRC Ltd.

.. Petitioner

Versus

State of Maharashtra and another

.. Respondents

**Shri. Vaibhav Sugdare a/w Ms. Rashmi Salian i/by Vigil Juris, for the
Petitioner.**

**Shri. A. B. Vagyani GP with Shri. P. G. Sawant, AGP for Respondent
Nos.1 and 2.**

**Shri. Mahendra Vasant Patil, Deputy Engineer, Thane Minor Irrigation
Division, Thane is personally present in Court.**

CORAM : R.M. SAVANT, J.

DATE : 12th MARCH, 2015

PC.

1. The Writ Jurisdiction of this Court is invoked against the order dated 24.01.2014 passed by the Learned 4th Joint Civil Judge, Senior Division & Additional Chief Judicial Magistrate, Thane, by which order the application Exh.109 for framing of additional issues based on the amended plaint as also the additional written statement came to be rejected.

2. During the course of hearing of the above Petition, the parties have tendered a pursis containing the three additional issues to be tried

along with the issues which have already been framed. The said three additional issues are 10-B, 10-C and 10-D. Both the Learned Counsel Shri. Vaibhav Sugdare for the Petitioner and the Learned GP Shri. A. B. Vagyani are agreeable to the said issues being incorporated in the issues being tried along with other issues that have already been framed. In view of the said consensus, the Trial Court is directed to add the said issues namely 10-B, 10-C and 10-D to the issues which have already been framed and try the said issues along with the other issues. The said pursis containing the issues is taken on record and marked 'X' for identification. In the light of the consensus between the parties in respect of the said additional issues, the above Petition to stand disposed of.

[R.M. SAVANT, J]