

Sequeira

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

WRIT PETITION NO. 6044 OF 2014.

Shri Sharad Madhav Mohite.

.. Petitioner

Vs.

Mr.Maniklal Radhakisan Mantri

Since deceased through his legal heirs

Mrs.Mohini Maniklal Mantri & ors.

.. Respondents.

Ms Lalita Panchakshari, for the Petitioner.

None for Respondents.

***CORAM: N.M.Jamdar, J.
Wednesday 22 April, 2015***

PC :

By this petition, the Petitioner challenges the order passed by the learned District Judge Pune, dated 16 January 2013 rejecting the application filed by the Petitioner for amendment of the Written statement in appeal. The suit was filed in the year 1998. It was decided in the year 2006 after period of eight years. The appeal was filed in the year 2007. In the year 2013, the application is preferred for amendment of Written statement on the ground that the Petitioner was not properly guided by the concerned advocate and therefore, could not place the correct facts before the Court. As rightly held by the learned District Judge, the application for amendment of Written statement appears to be dilatory tactics. No interference is warranted in writ jurisdiction. The petition is rejected.

2 The learned counsel for the Petitioner submits that the appeal is still pending. If that be so, the learned District Judge, will consider giving priority to the disposal of the appeal which is pending since the year 2007, if not already disposed of.

(N.M.Jamdar, J.)