

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 6702 OF 2014**

Shrikurshna Bhalchandra Kulkarni

..Petitioner

Vs.

**The Chairman Shikshan Prasarak Mandal
Kurundwad & Anr.**

..Respondents

Mr. Amit Shete for the Petitioner

**CORAM : R. M. SAVANT, J.
DATE : 17th OCTOBER, 2015**

P.C.

1 The Writ Jurisdiction of this court is invoked against the order dated 31-12-2013 passed by the Learned Joint Civil Judge Junior Division, Kurundwad, Kolhapur, by which order the application Exhibit 168 for amendment of the plaint came to be rejected.

2 The Suit in question being Regular Civil Suit No.50 of 2012 has been filed by the Plaintiffs amongst whom is the Petitioner for cancellation of the Sale Deed No.804 dated 16-4-2008 and for perpetual injunction for restraining the Defendants not to evict the Plaintiffs from the suit property and not to sell the suit property to third person except the Plaintiffs. By way of the amendment sought vide Exhibit 168, the Plaintiffs sought to incorporate paragraph Nos. 6A, 6B, 9A, 9B and 9C so as to bring the subsequent facts on record.

3 The Trial Court having regard to the reliefs sought in the Suit was of the view that the amendment sought to bring the subsequent facts on record are not necessary to determine the real issue in controversy between the parties in the Suit.

4 Since the Trial Court has deemed it appropriate to reject the amendment application on the ground that the same are not necessary for adjudication of the Suit in question, this court does not deem it appropriate to interfere with the impugned order passed by the Trial Court. The Writ Petition is accordingly dismissed.

[R.M.SAVANT, J]