

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.7048 OF 2015

Shobha Ravi Kapoor.] ... Petitioner

Versus

Bharat Petroleum Corporation Ltd.] ... Respondent

Mr. D. J. Lulia for Petitioner.
Mr. S. R. Page for Respondent.

CORAM :- M. S. SONAK, J.
DATE :- SEPTEMBER 15, 2015

P. C. :-

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

2. Heard the learned Counsel for parties.

3. The apprehension expressed by the learned Counsel for Petitioner is that is a new plan corresponding to the suit premises described in the amendment application at Exh.25 is not permitted to be appended to the plaint, the Respondent may object to the production of such a plan in the course of evidence on the ground that the same is *de hors* the pleading. Such apprehension, really lacks basis, particularly considering the circumstance that the Trial Court, in its order dated 10/03/2015, has not only allowed the Petitioner to

amend the plaint but further granted liberty to the Petitioner to file new plan mentioning the correct and proper description of the suit premises in the course of evidence. In any case, lest such apprehension continued, interest of justice would be met if the Petitioner is permitted to place on record, along with amended plaint, a new plan mentioning the correct and proper description of the suit premises.

4. The aforesaid exercise to be completed within two weeks from today.

5. With the aforesaid liberty, the present petition is disposed of.

6. All concerned to act on basis of authenticated copy of this order.

(M. S. SONAK, J.)

CERTIFICATE

Certified to be true and correct copy of the original signed
Order.