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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

BENCH AT AURANGABAD

CIVIL APPLICATION NO.13146/2016

IN

WRIT PETITION NO.7855/2012

M/s Jyoti Developers.

...Applicant..

Versus

The State of Maharashtra & others.

...Respondents...

.....

Shri A.R.Devkate, Advocate for applicant.

Shri B.A.Shinde, AGP for the State.

Shri A.S.Bajaj, Advocate for Respondent No.4.

.....

**CORAM: S.V. GANGAPURWALA &
K.L. WADANE, JJ.**

DATE: 30.09.2016

ORDER :

1] This is an application seeking leave to amend the memo of the writ petition and thereby challenging the awards passed in the years 1997 and 2003 to the extent of the applicant.

2] Learned counsel for the respondent no.4 submits that the amendment sought is alien to the dispute involved in

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the writ petition. The awards of the years 1997 and 2003 are sought to be challenged in the year 2016. The same suffers from delay and latches. The said amendment is contrary to the prayers made in the writ petition.

3] The writ petition is not yet admitted. Even if amendment is allowed, the respondents will have every right to agitate the grounds with regard to the delay, latches so also maintainability of the said reliefs.

4] Considering the above, civil application is allowed in terms of prayer clause [B] and disposed of. Necessary amendment be carried out within 14 days.

(K.L. WADANE, J.) (S.V. GANGAPURWALA, J.)