

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 8801 OF 2016

Mahesh Balasaheb Salapure,
Minor U/g of his mother
Vaishali Balasaheb Salapure

..PETITIONER

VERSUS

Kamlabai Tukaram Salapure and Others

..RESPONDENTS

....

Mr. S.S. Chapalgaonkar, Advocate for petitioner.
Mr. V.S. Bedre, Advocate for Respondent No.1.

....

**CORAM : T.V. NALAWADE, J.
DATED : 13th OCTOBER, 2016**

ORDER :

1. The petition is filed to challenge the order of amendment made in favour of the plaintiff. Both sides are heard.

2. The amendment is sought by plaintiff due to reason that her father – Defendant No.1 died and after his death she came to know that during his lifetime, the father had transferred some property to Defendant Nos.4 and 5 and a will was also executed in favour of Defendant No.6. Prayer was made for permission to add those persons as party to suit and the aforesaid circumstances are also to be added due to the case of

plaintiff that she learned about those circumstances after the death of the father. The Trial Court allowed the amendment and both adding of party and contentions is allowed.

3. There are many things which can be said in the present proceeding but this Court is avoiding to mention those things. The suit was filed in the year 1997 against the father for partition in respect of ancestral property by Respondent No.1 – the daughter.

4. In view of the peculiar facts and circumstances of the case, this Court has formed opinion that the suit itself can be expedited. Therefore, the Trial Court is hereby directed to expeditiously dispose of the suit in any case within a period of three months from the date of receipt of this order. With these observations, petition stands disposed of.

(T.V. NALAWADE, J.)

SSD