

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

WRIT PETITION NO.9254 OF 2016

Baban Deochand Tetwar ... PETITIONER

VERSUS

Pralhad s/o Deochand Tetwar & ors. ... RESPONDENTS

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Shri M.K. Deshpande, Advocate for petitioner

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CORAM: T.V. NALAWADE, J.

DATED: 30th August, 2016.

ORAL ORDER :

1. This petition is filed to challenge the order made by learned Civil Judge, Junior Division, 5th Court, Aurangabad on application filed at Exh.18 in Regular Civil Suit No.965/2013. The suit is filed by the present respondent for partition and possession for immovable property. The plaintiff is brother of present petitioner. The defendant has filed written statement and in the written statement, he has only contended that he has spent some amount on litigation and on making construction and creating facilities in favour of the lady, who bequeathed the

property. Now the defendant wants to mention the particulars of the amount.

2. Admittedly, no counter claim is made by the defendant when the suit is filed for relief of partition of immovable property. Such amendment cannot serve any purpose of anybody. In view of this, the petition is dismissed.

(T.V. NALAWADE, J.)

fmp/wp9254.16