

IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 659 OF 2016

MRS. MARTHA D'CUNHA.

... Petitioner

Versus

MR. XAVIER D'CUNHA.

... Respondent

Mr. F. E. Noronha, Advocate for the petitioner.

Coram:- F. M. REIS, J.

Date:- 21st November, 2016

P.C.

Heard Mr. F. E. Noronha, learned counsel appearing for the petitioner.

2. The above petition takes exception to the refusal of leave to amend the written statement at an appellate stage by an order dated 22.06.2016.

3. With the assistance of the learned counsel appearing for the petitioner, I have also perused the proposed amendments. The proposed amendments are basically to raise points of law which can be considered by the learned Appellate Court based on the material on record and draw legal inferences on its own merits. In such circumstances, the proposed amendments are not at all necessary to decide the matter in controversy. There is no jurisdictional error committed by the learned Judge as such while passing the impugned

order. Hence, no interference is called for in the impugned order.
The petition stands accordingly rejected.

F. M. REIS, J.

at*