

Sequeira

*IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE JURISDICTION*

WRIT PETITION NO. 7546 OF 2016

Shri Vilas Laxman Chindarkar & ors. ... Petitioners
Vs.
M/s Skyline Construction Co. & ors. ... Respondents

Mr.Atul Damle-Senior Advocate h/f Mr.Rupesh R.Lanjekar, for
Petitioners.

Mr.P.K.Dhakephalkar-Senior Advocate h/f Ms.Tamsin Monis i/b ALJ
& Partners & Co., for Respondent No.1.

***CORAM : N.M.Jamdar, J.
Tuesday, 30 August 2016.***

P.C. :

The Petitioners challenge the order dated 19 September 2014 rejecting the Chamber Summons taken out for amendment of the suit.

2. Heard learned counsel for the parties. It is not necessary to interfere with the impugned order as the Petitioners are not prejudiced by the same. Though the learned Judge has not granted the amendment, the reason given for not granting such amendment is that it is superfluous and the Petitioners are not precluded from relying on the documents which are sought to be produced on record by way of the amendment as they pertain to Government

Notification Gazette, general notice and Agreements and letter / correspondence. Since the learned Judge has granted liberty to the Petitioners to proceed to rely upon this document and advance arguments, even though the documents are not part of the record or that there is a pleading in the plaint and the Respondents have not challenged this order. It is not necessary to interfere with the impugned order as the Petitioners rights are adequately protected. Writ Petition is accordingly disposed of.

(N.M.Jamdar, J.)