

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 256 OF 2015**

Kushala Ramesh Shetty	..Petitioner
Vs.	
Kamal Pasha Zaidi & Anr.	..Respondents

**WITH
WRIT PETITION NO.257 OF 2015**

Kushala Ramesh Shetty	..Petitioner
Vs.	
Kamal Pasha Zaidi & Anr.	..Respondents

Mr. S. Shamim i/b Shamim & Associates for the Petitioner
Mr. Khan Javed Akhtar for the Respondents

CORAM : R. M. SAVANT, J.
DATE : 29th FEBRUARY, 2016

P.C.

1 The two identical orders both dated 10-11-2014 passed by the Learned Judge of the Small Causes Court rejecting the applications Exhibit 79 and Exhibit 70 filed in the two Suits in question being R.A.E. & R Suit No.897/1372 of 2009 and R.A.E. & R Suit No.899/1374 of 2009, are taken exception to by way of the above Petitions.

2 By the said applications Exhibit 79 and Exhibit 70 the Petitioner i.e. the Defendant sought a direction that the Defendant should be served with an identical copy of the amended complaints. It seems that the complaints have been

amended on two occasions and as per rules of the Small Causes Court the said amendments are to be carried out in a particular colour. Hence what the Petitioner is probably seeking is that the amended copy of the plaints should be served in the same colour as per the courts copy. The Trial Court has rejected the said application on the ground that the copies of the plaints furnished to the Petitioner in the two suits is identical to the copies of the plaints which are on record and therefore the relief sought vide the said applications could not be granted. It is also required to be noted that an identical Writ Petition being No.411 of 2015 filed by the Petitioner has been dismissed by a Learned Single Judge of this Court N. M. Jamdar, J., by order dated 22-4-2015. In view thereof, no case for interference is made out. The above Writ Petitions are accordingly dismissed.

[R.M.SAVANT, J]