

FARAD CONTINUATION SHEET
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5034/2016

Office Notes, Office Memoranda of Coram, Appearances, court's orders or directions and Registrar's orders	Court's or Judge's orders
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Mr. Tejas Dande i/b. Tejas Dande & Associates for the petitioner

Mr. R. N. Sanghavi for the respondent No.2.

CORAM : K. K. TATED, J.

DATE : MAY 3, 2016

P.C.:

1. Heard. This application is made by the plaintiff challenging the order dated 07.11.2015 passed by the Court of Small Causes Pune below Exhibit- 37 in Suit No.291/2014 rejecting his application under Order VI Rule 17 of the Code of Civil Procedure, 1908 for carrying out amendment in plaint.

2. In the present proceedings, on 24.09.2014 the plaintiff has instituted a suit before the Trial Court for possession of the suit premises i.e. house No.534, Budhwar Peth, Tapkir Galli, Pune-411002 and/or reconstructed property. Thereafter the plaintiff made an application for amendment of

the plaint for giving reference of Will dated 22.07.2013 in which the plaintiff referred the suit premises as tenanted premises.

3. The Trial Court rejected the application made by the plaintiff below Exhibit- 37. Hence, the Writ Petition.

4. Considering the submissions made by the learned counsel for the plaintiff and the reasons given by the Trial Court in paragraph 8, I do not find any substance in the Writ Petition and same stands rejected.

JUDGE