

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

Writ Petition No.6033 of 2016
(Sau. Aasha Panjuram Harwani and others v. Shri Gopal s/o Tulsidasji Rath
and another)

Office Notes, Memoranda of Coram,
appearances, Court's orders or directions Court's or Judge's orders
and Registrar's order

Shri P.V. Navlani, Advocate for Petitioners.

Coram : R.K. Deshpande, J.
Date : 15th October, 2016

The challenge in this petition is to the order passed by the Trial Court allowing the application for amendment filed by the plaintiff. The application for amendment was filed at the pre-trial stage. Though the issues are framed, the trial is yet to begin. The Trial Court has observed that the issue of limitation can be decided by framing an appropriate issue, as it is a mixed question of law and fact. Hence, no interference is called for at this stage. All questions are left open to be agitated in appeal, if occasion arises.

With these observations, the petition is dismissed.

Judge.

Lanjewar