

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

Writ Petition No.327 of 2016
(Shri Sureshkumar s/o Bhaiyyalal Deherwal and others v. Shri
Chandrashekhar s/o Bajaranglal Poddar)

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

Shri A.V. Bhide, Advocate for Petitioners.

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

The challenge is to the application for amendment of the written statement filed after the commencement of the trial and the closure of the evidence by the petitioners/plaintiffs. The application has been allowed upon the payment of costs of Rs.2,000/-.

The question as to whether the need has to be judged as on the date of filing of the suit or as on the date of passing of the decree, can be considered in the judgment by the Trial Court.

In view of this, the petition is dismissed.

All the questions are left open to be agitated in appeal, if such occasion arises.

The petitioners shall be at liberty to file consequential amendment without prejudice to their rights.

Judge.

Lanjewar