

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

WRIT PETITION NO. 2871 OF 2017

Bitubai Hiranman Rathod & Anr. .. Petitioners

Versus

Sonabai Ganesh Pawar .. Respondent

Mr.R.K. Ashtekar, Advocate for the petitioners.

CORAM : S.B. SHUKRE, J.

DATED : 08.03.2017

P.C. :-

1. Heard learned Counsel for the petitioners. By the impugned order dated 06.01.2017, amendment application filed under Order VI Rule 17 of the Civil Procedure Code, after recording of evidence has started, has been rejected on the ground that the petitioners could not give any explanation as to why inspite of due diligence on their part, they could not incorporate the pleadings, now, they are seeking to incorporate by way of amendment.

2. The explanation filed by the petitioners in this regard does not give any justification. The only justification is that as after previous advocate was changed some different advice was given to them, they

thought of introducing amendment to the pleadings, which is no good ground. Said application has been rightly rejected by the learned Civil Judge. There is no patent illegality in the impugned order.

3. The writ petition is summarily dismissed with costs.

[S.B. SHUKRE,J.]