

(1)

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

WRIT PETITION NO.8125 OF 2014

Gorakh Sukhdev Shinde,
Age: 50 years, Occ: Agri.,
R/o. Terkheda Tal. Washi,
Dist. Osmanabad.

..PETITIONER

VERSUS

Dnyandev Sukhdev Shinde,
Age: 60 years, Occ: Agri.,
R/o. Bavi, Tal. Washi,
Dist. Osmanabad & ors

..RESPONDENTS

Mr V.S. Undre, Advocate for petitioner;
Mr D.S. Kulkarni, Advocate for respondent No.3;

CORAM : NITIN W. SAMBRE, J.

DATE : 29th NOVEMBER, 2017

ORAL ORDER :

By consent of the parties, the impugned order dated 28th July, 2014 passed below Exhibit-67 in Regular Civil Suit No.50 of 2011 Gorakh vs Dnyandeo, rejecting the application for amendment of the plaint, is hereby quashed and set aside.

2. Application at Exhibit-67 stands allowed,

(2)

subject to condition that the petitioner shall not seek any claim to adduce evidence in support of amended plaint.

3. With above observations, the writ petition stands allowed.

(NITIN W. SAMBRE, J.)

Tupe