

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION No. 3085 OF 2009

Shri Dilip Bajirao Lonkar

....Petitioner

Vs.

Shri Jagannathgir Curubhagwan
Girigosavi and Ors.

....Respondents

Mr. Sagar Kursija i/b. T.D. Deshmukh for Petitioner

CORAM : M.S. SANKLECHA, J.

WEDNESDAY, 23RD AUGUST, 2017

P.C.

1. This petition challenges an order dated 26.11.2008 rejecting the Petitioner's (Original Plaintiff) amendment application.
2. Mr. Kursija, learned counsel for the Petitioner informs me that the proceedings are now at the stage of final arguments and would be decided shortly in the Trial Court.
3. In the above view of the matter, if the Petitioner is aggrieved with the final order which will be passed by the Trial Court, he can prefer an appeal and could urge the grievance with regard to the refusal of the

amendment to the plaint, in an appeal which may be preferred by him in terms of section 105 of the Civil Procedure Code.

Writ petition is dismissed in the aforesaid terms.

[M. S. SANKLECHA, J.]