

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

CIVIL APPLICATION NO.1623 OF 2017
IN WRIT PETITION NO.578 OF 2017

(Jagdish s/o Bansilal Dhoot vs. Municipal Council, Bhandara and another)

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

Shri K.S. Motwani, Advocate for petitioner.

CORAM : P.N. DESHMUKH, J.

DATED : JULY 27, 2017

Issue notice to respondents.

Shri Dhattrak, learned Counsel waives notice
for respondent no.1 and Shri Kalwaghe, learned Counsel
waives notice for respondent no.2

This application is filed for effecting
amendment in the petition as mentioned in para 3
thereof. It is contended that above stated facts are
necessary to be incorporated as they have bearing on the
subject matter of the petition, however, due to
inadvertence, same remained to be mentioned. It is,
therefore, prayed that application be allowed.

Learned Counsel for respondents have
opposed the application on the ground that allowing this
application would change the nature of dispute and thus,
it is prayed that application be rejected.

Perusal of proposed amendment to be
incorporated prima facie appears to be in the form of
facts, which can be established on the basis of

documents. In that view of the matter, it is found that amendment is necessary for just decision of the petition. Therefore, civil application is allowed. Petitioner to carry out amendment within two weeks and serve amended copy of petition on respondents.

Stand over to 10/8/2017.

JUDGE

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