

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

927 WRIT PETITION NO.3335 OF 2018

Sachin S/o Babu Utage

... Petitioner.

Versus

Jayashree W/o Sachin Utage

... Respondent.

....

Mr. C.V. Bodkhe, Advocate a/w Mr. Ravindra V. Gore, Advocate
for the Petitioner.

....

CORAM : V.L. ACHLIYA, J.

DATED : 3rd APRIL, 2018

PER COURT:-

1. By the present petition, the petitioner/original plaintiff has challenged the order dated 26.02.2018 passed by the Family Court, Latur. By the impugned order, the learned Judge of Family Court has rejected the application made under Order 6 Rule 17 of the Code of Civil Procedure.

2. On perusal of the order, it reveals that the application seeking amendment has been filed at belated stage of cross-examination of witness no.2 for the defendant. No explanation put-forth for making application at such belated stage. The order passed by the learned Family Court is reasoned. There is no

perversity in the order passed so as to interfere in exercise of supervisory jurisdiction under Article 227 of the Constitution of India. While exercising writ jurisdiction under Article 227 of the Constitution of India, the Court is expected not to interfere with the orders passed by the courts below unless the orders are passed found to be perverse or arbitrary or without jurisdiction. In my view, no such case is made out to invoke powers under Article 227 of the Constitution of India. Hence, the petition is dismissed.

(V.L. ACHLIYA)
JUDGE

SPR