

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.272/2016
IN
CROSS OBJECTION (ST) NO.34846/2016
IN
FAMILY COURT APPEAL NO.211/2016

Shantabai Bhagwan Mohite ... Applicant

Bhagwan Gundu Mohite ... Appellant

V/s.

Shantabai Bhagwan Mohite ... Respondent

Mr. A. P. Kulkarni for the Applicant

CORAM: K.K. TATED &
N.J. JAMADAR, JJ.

DATED : JANUARY 15, 2019
(In Chamber at 2.45)

P.C. :

1 Heard. Today the matter is placed on board for speaking to the minutes of order dated 12.12.2018.

2 In 2nd line of 1st paragraph instead of **cross-objection** it should be **Claim Petition**. Similarly, in 3rd line of paragraph 3(C), instead of **Cross-examination** it should be **Claim Petition**.

3 Order dated 12.12.2018 stands corrected accordingly. Rest of the order shall remain as it is.

(N. J. JAMADAR, J.)

(K. K. TATED, J.)

CORRECTED ORDER DATED 12.12.2018

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

CIVIL APPLICATION NO.272/2016
IN
CROSS OBJECTION (ST) NO.34846/2016
IN
FAMILY COURT APPEAL NO.211/2016

Shantabai Bhagwan Mohite ... Applicant

Bhagwan Gundu Mohite ... Appellant

V/s.

Shantabai Bhagwan Mohite ... Respondent

Mr. Abhijit P.Kulkarni for the Applicant

**CORAM: K.K. TATED &
N. J. JAMADAR, JJ.
DATED : DECEMBER 12, 2018**

P.C. :

1 Heard. By this Civil Application, the Applicant seeks permission to carry out amendment in the **claim petition**.

2 Considering the submissions made by the learned counsel for the Applicant and the averments made in the Application, we are satisfied that the Applicant has made out a case for allowing the present Civil Application.

3 Hence, the following order:

- a) Civil Application is allowed in terms of prayer clauses (a) & (b) which read thus:

(A) “(a) This Hon'ble Court be pleased to grant the Applicant leave to amend her claim petition No.C- 34/2013 to incorporate the pleadings after paragraph No.7 of the petition as per schedule A to this Application and to incorporate prayer A-1 for claiming enhance maintenance.”

(B) The Applicant is directed to carry out amendment on or before 19.01.2019, failing which the Civil Application shall stand dismissed without further reference to the court.

(C) If amendment is carried out within stipulated time as stated hereinabove, the Applicant is directed to serve an amended copy of the **claim petition** on the original Appellant or his Advocate thereafter immediately.

(D) Liberty granted to Applicant to take out appropriate Application , if he so desire for prayer clauses (b) & (c) which will be decided on merits.

(E) Civil application stands disposed off accordingly.

(N. J. JAMADAR, J.)

(K. K. TATED, J.)