

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION (ST) NO. 8475 OF 2018
IN
FIRST APPEAL (ST) NO. 4330 OF 2018

Shri. Brahmanath Puratan Digamber & Ors. .. Applicants

In the matter of

Shri. Brahmanath Puratan Digamber & Ors. .. Appellants

Vs.

Shri. Tavangonda Satgonda Patil .. Respondents

Mr. S.R. Naidu a/w T.S. Ingale for Appellant/Applicant.

Mr. Anand R. Patil, AGP for Respondent No. 7-State.

Mr. Bhooshan R. Mandlik I/b C.G. Patil for Respondent Nos 1 to 3.

CORAM : K.K. SONAWANE, J.

DATE : 7th August, 2018.

P.C. :-

1. Heard learned Counsel for the applicants/appellants and the learned Counsel for the respondent Nos. 1, 2 and 3 i.e. original petitioners before the Charity Commissioner. The respondent No. 5 is shown dead, respondent No. 4 and 6 are the original respondents who did not appear before the Charity Commissioner. The learned AGP is appearing on behalf of respondent No. 7-State. No one has appeared on behalf of respondent No. 8. The proceedings of the appeal is at

initial stage for removal of the office objections, and after removal of office objections, the proceedings of the appeal will be taken up for further process for hearing on merit. At this stage, the appellants is seeking leave to amend the grounds of appeal. In view of reasons mentioned in the application and the nature of subject matter as well as the stage of the proceedings, which is at the initial stage there is no impediment to allow the appellants to make requisite proposed amendment in the grounds of appeal as shown in annexure 'I'.

2. The learned Counsel for the respondents also have no any objection to allow the amendment in the proceedings as prayed. In view of the attending circumstances on record, the application deserves to be allowed. Accordingly, the application stands allowed.

3. Leave to the appeal-memo for correction/addition of amend grounds of appeal as per Annexure-'I'. The appellants shall carry out the requisite proposed amendment in the appeal memo within a period of one week. Accordingly, the Civil application stands disposed off.

(K.K. SONAWANE, J.)