

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

WRIT PETITION No. 1788 OF 2017

Karbhari Pandu Bodke (deceased)

Through his legal heirs and representative

1A. Namdev Karbhari Bodke (deceased)

Through his legal heir and representative

1AA. Smt. Dagubai Namdev Bodke and Ors.

...Petitioners

Vs.

Rangnath Narayan Bhise (Deceased)

through legal heirs and representatives

1A. Chahadu Rangnath Bhise and Ors.

...Respondents

Ms. Tanvi Kamat i/b. Pallavi Dabholkar for Petitioners

CORAM : K.K. TATED , J.

DATE: MAY 03, 2018

P.C.

1. Heard Ms. Tanvi Kamat, learned counsel appearing on behalf of the Petitioners.

2. By this petition, which is filed under Article 227 of the Constitution of India, the Petitioner is challenging the order dated 1st April, 2016 passed by the Joint Civil Judge, Junior Division, Sinnar below Exhibit '102' in Regular Darkhast No. 10 of 2006 by which the Petitioner's application for amendment for raising a limitation point stands rejected. The Trial Court has recorded in its order dated 1st April, 2016 that earlier for same issue, the

judgment debtors have filed application below Exhibit 15 and 16 wherein objection of limitation against present execution proceeding was raised. Both the applications below Exhibit '15' and '16' were rejected by the Court by order at Exhibit 46 and in spite of that again the application filed by the judgment debtors for raising the objection of limitation.

3. Considering these facts and reasons disclosed by the Trial Court, I do not find any substance in the submissions made by the learned counsel for the Petitioners. Hence, petition stands rejected. No orders as to costs.

[K.K. TATED, J.]