IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

C.A.W.NO. 655/2018 IN W.P.NO. 7428/2017.

Pr. Director of Income Tax (Investigation), Nagpur.

-**VERSUS**-

The Institute of Chartered Accountants of India, New Delhi and another.

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

CORAM : B. P. DHARMADHIKARI AND A.D. UPADHYE, JJ.

DATE : MARCH 20, 2018.

Heard Shri A. Parchure, learned Counsel for the applicant/petitioner, Shri H.V.Thakur, learned Counsel for respondent no.1 and Shri S.V. Bhutada, learned Counsel for respondent no.2.

2. Respective learned counsel appearing for respondents are seeking time to file reply to oppose prayer for amendment. Contention is, grounds available earlier or at the time of filing of writ petition are now sought to be added because of specific defence that maximum punishment prescribed in law has been awarded. It is contended that thus, a lacunae

are being filled in.

3. It is a settled law that Court while considering prayer for amendment is not required to look into the merits of the grounds sought to be added. The defence to said ground or then the availability of that ground is always open and can be raised at appropriate stage. Hence, without prejudice to the rights and contentions of respondents, Civil Application is allowed. Necessary amendment be carried out within a period of one week. Liberty to respondents to file additional reply, if any, within a further period of two weeks.

4. Civil Application stands disposed of. No costs.

JUDGE **JUDGE**

Rgd.