

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.2667 OF 2019**

Manik Jaysing Nikam

.. Petitioner

Versus

Gangaram Dhondiba Gije and Ors.

.. Respondents

Mr. D.V. Sutar for petitioner.

CORAM : K.K. TATED, J.

DATE : 05 MARCH 2019.

P.C:-

. Heard learned Counsel for the petitioner.

2. By this writ petition under Article 227 of the Constitution of India, petitioner/original plaintiff is challenging the order dated 10.10.2018 passed by 3rd Joint Civil Judge, Senior Division, Kolhapur below Exhibit-17 in Special Civil Suit No.221 of 2015 rejecting petitioner/original plaintiff's application under Order 6 Rule 17 of Civil Procedure Code, 1908 for carrying out amendment in the plaint.

3. The trial Court, at the time of rejecting the petitioner's application recorded that the trial has commenced and thereafter the petitioner has filed application.

3. Considering these facts, I do not find any substance in the present writ petition. Hence, writ petition stands dismissed only on the ground that petitioner has made application for carrying out amendment after the commencement of the trial.

4. Writ petition stands dismissed.

5. No order as to costs.

(K.K. TATED, J.)