

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

WRIT PETITION NO.9478 OF 2019

Priti Tushar Deshpande ... Petitioner

Vs.

Tushar Kishor Deshpande ... Respondent

.....

Mr. Prabhanjan Gujar for the Petitioner.

Mr. Ashraf Kapoor I/b. Mohammed Zain Khan for the Respondent.

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CORAM : M. S. KARNIK, J.

DATE : 18th SEPTEMBER, 2019.

P. C.:

1. Heard learned counsel for the petitioner and learned counsel for the respondent.

2. Learned counsel for the respondent says that he will file his Vakalatnama for the respondent. He is permitted to file his Vakalatnama during the course of the day.

3. The petitioner wife is challenging the order dated 20.5.2019 passed below Exhibit 15 in P.A. No.748 of 2017 rejecting the application made for amending the written statement. The amendment is rejected by the Trial Court on the ground that in the proposed amendment the wife made vague and

ambiguous allegations. She has not given specific dates and details of the instances mentioned therein. In the opinion of the learned Trial Judge the proposed amendments are not necessary for determining the questions of real controversy between the parties.

4. Learned counsel for the respondent states that even the affidavit of evidence of the husband is filed on 18.11.2018. In this view of the matter, I do not proposed to interfere with the order passed. However, if the petitioner makes a fresh application specifying proper details, the Trial Court will consider the same on its own merits without being influenced by the rejection of the application Exhibit 50.

5. It is the contention of learned counsel for the husband that the application is filed by the wife only with a view to protract the litigation. Learned counsel for the wife states that she would co-operate with the Trial Court in the expeditious disposal of the suit and the apprehension of the respondent-husband is misconceived.

6. In this view of the matter, the Trial Court is requested to expedite the suit.

7. The petition is rejected with no order as to costs.

(M. S. KARNIK, J.)