

Urmila Ingale

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
APPEAL FROM ORER NO. 644 OF 2018

Dattaram Babusheth Jadhav

.. Appellant

Vs.

The Municipal Corporation of Gr.Mumbai & ors. .. Respondents

Mr.Prosper D'Souza, for the Appellant.

Mrs.Madhuri More, for the Respondent – MCGM.

CORAM : M.S.KARNIK, J.

DATE : 31st JULY, 2019

P.C. :

. Heard learned Counsel for the appellant. The order under challenge dated 26/06/2018 is passed by the City Civil Court Mumbai. By this order, the trial Court rejected the application made by the appellant - original plaintiff to extend the time to carry out the amendment in terms of order dated 20/03/2018. In my opinion, the extension as prayed for by the plaintiff deserves to be allowed. Already the order dated 20/03/2018 was passed by the trial Court allowing the

amendment. The trial Court should have allowed the application for extension of time. It appears that the appellant is appearing in-person and even before this Court, he is being represented by the Advocate appointed by the Legal Aid Committee.

2. In this view of the matter, for the reasons mentioned in the Appeal and in view of the oral submissions, the order passed on 26/06/2018 is set aside. The appellant is allowed to carry out amendment in terms of order dated 20/03/2018 if the same is carried out within 2 weeks from today.

3. Appeal is allowed.

(M.S.KARNIK, J.)