

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

WRIT PETITION NO.1124 OF 2017

Dilip Shabaji Khatale

.. Petitioner

V/s.

Renuka Jayavant Donde and Ors.

.. Respondents

Mr.Satyajeet P. Dighe for the Petitioner

**CORAM: K.K. TATED, J
DATED : FEBRUARY 26, 2019**

P.C. :

1 Heard.

2 By this petition under Article 227 of the Constitution of India the Petitioner challenges the order dated 29.06.2016 passed by Civil Judge, Junior Division, Igatpuri below Exhibit-72 in Regular Civil Suit No. 30 of 2012 allowing Respondent original defendant nos.3's Application to carry out amendment in written statement.

3 It is to be noted that defendant no.3 filed Application for amendment in the written statement on 21.04.2010 on the basis of subsequent events. Defendant no.3 collected the information of Regular Civil Suit No. 86 of 1986. He applied for certified copies on 06.01.2016 and thereafter immediately

filed Application for amendment . His entire amendment is on the basis of pleading in Regular Civil Suit No. 86 of 1986. Trial Court specifically held in paragraph 10 and 11 that defendant no.3 filed Application for amendment on the basis of subsequent events i.e. Regular Civil Suit No. 86 of 1986. Not only that, Trial Court also recorded in paragraph 11 that because of amendment, same is not going to affect the right and interest of the Petitioner original plaintiff also.

4 Considering these facts, I do not find any reason to entertain the present Writ Petition. Hence, Writ Petition stands rejected.

5 No order as to costs.

(K.K. TATED, J.)