

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO.10539 OF 2015

Vishnu Gopal Pendharkar .. Petitioner
Versus
Pravin Mahadeo Dhole and Ors. .. Respondents

Mr. Mandar Limarye for petitioner.
Mrs. Lalita H. Panchakshari for respondent Nos.1 to 3.

CORAM : K.K. TATED, J.

DATE : 10 JANUARY 2019.

P.C:-

- . Heard learned Counsel for the parties.
2. By this writ petition under Article 227 of the Constitution of India petitioner original plaintiff is challenging the order dated 14.08.2015 passed by 14th Joint Civil Judge, Junior Division, Pune below Exhibit-30 in Regular Civil Suit No.812 of 2014 rejecting petitioner's application under Order 6 Rule 17 of CPC to amend the plaint.
3. The trial Court specifically observed that, initially the petitioner has filed suit for temporary injunction. By way of amendment, he wanted to convert the same for claiming damages. That is not permissible.
4. Considering these facts, avernments made in the petition and proposed amendment is not necessary to adjudicate real controversy, I do not find any reason to entertain this writ petition.
5. Hence, writ petition stands rejected. No order as to costs.

(K.K.TATED, J.)