

Shantabai Prakash Dangare and Ors. .. Petitioners

Versus

Dnyandeo Baburao Dangare and Ors. .. Respondents

Mr. D.D. Rananaware for petitioners.

CORAM : K.K. TATED, J.
DATE : 20 FEBRUARY 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 15.09.2015 passed by 8th Joint Civil Judge, Senior Division, Satara below Exhibit-52 in Regular Civil Suit No.23 of 2012 allowing defendant Nos. 2 to 5's application under Order 6 Rule 17 of Civil Procedure Code for carrying out amendment in written statement.

3. Learned Counsel for the petitioner submits that the impugned order dated 15.09.2015 passed below Exhibit-52 is required to be set aside. If those facts are brought on record, then

his prayer in the suit for peremptory right to purchase the suit property affects. That cannot be a reason for rejecting defendant's application for carrying out amendment in the written statement.

4. It is to be noted that by way of amendment defendants wanted to bring on record the property purchased by Mr. Abdul Ajij Chotubhai Shaikh. This amendment application was allowed by the trial Court holding that same is not going to change the nature of the suit. The trial Court also held that amendment is necessary to decide the dispute between both the parties.

5. By carrying out amendment, defendant wants to place on record the correct true facts in respect of the suit property. Therefore, I do not find any substance in the present writ petition.

6. Writ petition stands rejected.

7. No order as to costs.

(K.K.TATED, J.)