

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO.1226/2019

Dadarao Ganpat Rankhamb
..Vs..
Sakhubai Sukhdeo Rankhamb

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri Amit Kukday, Advocate for the petitioner.

CORAM : Z.A. HAQ, J.

DATE : 14.2.2019.

The original defendant has challenged the order passed by the trial Court by which the application (Exh. No.54) filed by the plaintiff under Order VI Rule 17 of the Code of Civil Procedure seeking permission to amend the plaint is allowed. The plaintiff originally filed civil suit praying for decree for permanent injunction restraining the defendant from interfering with her possession over the suit property. After the issues came to be framed, the plaintiff filed the application (Exh. No.54) seeking permission to bring on record the fact that she is dispossessed during the pendency of the civil suit. The trial has not yet commenced. The learned trial Judge has examined all the relevant aspects and has summed up his conclusions in paragraph Nos.15, 16 and 17 of the impugned order.

It cannot be said that the impugned order suffers from any illegality or error of jurisdiction which necessitates interference by this Court in the extraordinary jurisdiction. The writ petition is **dismissed**. No costs.

JUDGE

Tambaskar.