

FARAD CONTINUATION SHEET No.
IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

WRIT PETITION NO. 2347/2019

(MAHASUL KARMACHARI SANGHTANA GADCHIROLI **VERSUS** STATE OF MAHARASHTRA &
 ANOTHER)

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

Court's or Judge's orders

 Shri V.N. Morande, counsel for petitioner.

CORAM : A.S. CHANDURKAR, J.

DATE : MARCH 25, 2019.

The original plaintiff is aggrieved by the rejection of its application for amendment in the plaint.

After hearing learned counsel for the parties, it is found that the application was moved after commencement of the trial and there was absence of the aspect of due diligence in seeking amendment. The trial Court has also observed that the contentions sought to be raised by the proposed amendment were already on record in material terms.

Hence, at this stage, I am not inclined to exercise discretion under Article 227 of the Constitution of India. With liberty to the petitioner to challenge the order passed below Exhibit 168 in appeal if the occasion arises, the writ petition is not entertained. The same is dismissed. No costs.

JUDGE

APTE