

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CIVIL APPLICATION (CAW) NO.2713 OF 2018
IN
WRIT PETITION NO.6864 OF 2017

Uttam Shamraoji Bhoyar and ors.

-vs-

District Deputy Registrar and ors.

Office notes, Office Memoranda of
Coram, appearances, Court's orders
or directions and Registrar's orders.

Court's or Judge's Orders.

Dr Anjan De, Advocate for petitioners/applicants.
Shri A. Joshi, AGP for respondent Nos.1 and 4.
Smt U. A. Patil, Advocate for respondent No.2.

CORAM : A.S.CHANDURKAR, J.

DATE : April 02, 2019

The petitioners pray that they be granted permission to amend the writ petition so as to raise additional challenges including a challenge to the order dated 25/07/2006 passed by the District Deputy Registrar. In paragraph 1 of the application the basis for raising such challenge has been indicated.

Reply has been filed opposing the proposed amendment on the ground that though the petitioners were having knowledge about the said order dated 25/07/2006, the same was not challenged earlier. Even the locus of the petitioners to challenge that order is being questioned.

The writ petition is yet to be admitted and notices have been issued to consider whether the prayers made in the writ petition require consideration.

Considering the nature of amendment as proposed, the application is allowed. However, all objections sought to be raised by the respondents so as to dispute the entitlement of the petitioners to the relief as sought are kept open for being agitated at appropriate stage.

The civil application is allowed and disposed of.

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Amendment be carried out within one week. The respondents are at liberty to file additional affidavit to counter the amended portion within a period of one week thereafter.

Stand over two weeks.

JUDGE