

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

953 WRIT PETITION NO.1650 OF 2019

THE GRAM SEVAK GRAM PANCHAYAT OFFICE VEEDA AND
OTHERS
VERSUS
SAKHARAM SHANKAR KADAM AND OTHERS

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Advocate for Petitioners : Mr. Jadhav Hanumant P.
AGP for Respondents-State : Mr. A.M.Phule.
Advocate for Respondent No.1 : Mr. Khadap Rahul D.

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**CORAM : V. K. JADHAV, J.
DATE : 21.01.2020**

PER COURT :-

1. Heard finally with consent at admission stage.
2. It appears that respondent-plaintiff has filed a separate application Exh.45 to get the police aid for removal of tin shed alleged to have been erected by the petitioners over the suit property. The Respondent-plaintiff has filed another application for amendment in the said application and alternate relief prayed that he be given the police aid to protect the suit property. By impugned order, the learned Judge of the Trial Court has allowed the said application seeking amendment in the application Exh.45. The Trial Court has

observed that if the application for amendment is allowed, then no prejudice is likely to be caused to the other side and on the other hand the matter will be properly decided. The Trial Court has also made clear that a question about the protection by giving police aid will be decided after hearing and it is not necessary at this stage to consider the merits of the amendment as sought in the application Exh.52 I find no fault in the order passed by the Trial Court. Hence, I pass the following order :

ORDER

The Writ Petition is hereby dismissed and accordingly disposed off.

(V. K. JADHAV, J.)

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vmk/-