

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

CIVIL APPLICATION NO. 1671 OF 2020
IN
WRIT PETITION NO. 5778 OF 2019

YASH BHANDARI AND COMPANY
THROUGH ITS PROPRIETOR SATISH PULCHAND BHANDARI
VERSUS
A.P. ENTERPRISES
PROPRIETOR NARENDAR PRASAD AYODHYA PRASAD DUBE

.....
Advocate for the applicant: Mr. R.S. Wani h/f Mr. A.S. Bajaj
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CORAM : V. K. JADHAV, J.
DATED : 11th FEBRUARY, 2020

PER COURT:-

1. Learned counsel for the applicant submits that the applicant has instituted the suit bearing Special Civil Suit No. 13 of 2017 against the respondent firm for recovery of the amount towards price of the goods. In the said suit, the applicant had described A. P. Enterprises as a proprietary firm of one Narendar Prasad Dube. On appearance, said Narendar Prasak Dube pointed out that the firm is not a proprietary firm and is a partnership firm and he is the partner of the said partnership firm. Learned counsel submits that the applicant has thus filed an application for necessary amendment in the title clause before the trial court and the said application for amendment has been allowed by the trial court. Learned counsel submits that inadvertently in the writ petition, the status of the respondent is again shown as proprietary firm instead of partnership firm. Learned counsel thus seeks leave to carry out the amendment

in the writ petition.

2. In view of above and for the reasons stated in the application, civil application is allowed in terms of prayer clause "B". Amendment be carried out forthwith. List the writ petition on 18.2.2020.

(V. K. JADHAV, J.)

rlj/