

nsc.

***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION***

WRIT PETITION NO.12015 OF 2016

Bhimesh Narendra Mehta	... Petitioner
Versus	
Akalpita Shrinivas Paranjpe and Ors.	...Respondents

***WITH
WRIT PETITION NO.1971 OF 2017***

Bhimesh Narendra Mehta	... Petitioner
Versus	
Akalpita Shrinivas Paranjpe and Ors.	...Respondents

Mr. S. M. Sabrad, for the Petitioner.

Mr. J. M. Joshi, for the Respondent No.1.

CORAM : REVATI MOHITE DERE, J.

DATE : 14th JANUARY, 2020

P.C. :

1. Heard learned counsel for the parties.
2. By these petitions, the petitioner has impugned the order dated 12th August, 2015, passed by the learned 2nd Joint Civil Judge, Senior Division, Panvel, below Exhibits – 112 and 114 in Special Civil Suit No.385 of 2009, by which, the Respondent No.1's application seeking

amendment of the plaint (Exhibit – 112) and application for bringing two Sale Deeds on record (Exhibit – 114) were allowed.

3. Learned Counsel for the Respondent No.1, on instructions states that as far as amendment of the plaint is concerned, the said amendment has already been carried out pursuant to the impugned order dated 12th August, 2015. He, however, submits that Respondent No.1 (original plaintiff) will only bring on record the subsequent developments that have taken place and will not delete the original contents set out in the plaint. Statement accepted.

4. As far as the order passed below Exhibit – 114 is concerned, the learned counsel for the petitioner does not press the petition challenging the same i.e. Writ Petition No.1971 of 2017. As far as Writ Petition No.12015 of 2016 is concerned, in view of the statement made by the learned counsel for the Respondent No.1 (original plaintiff) as stated aforesaid, learned counsel for the petitioner does not press the said Writ Petition i.e. Writ Petition No.12015 of 2016.

5. Accordingly, the Respondent No.1 (original plaintiff) to carry out the amendment with respect to the subsequent developments as

permitted by the trial Court, however, the Respondent No.1 shall not delete any contents of the plaint as originally filed.

6. Both the Writ Petitions are accordingly disposed of on the aforesaid terms.

7. All concerned to act on the authenticated copy of this order.

REVATI MOHITE DERE, J.