

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 5157 OF 2019

Shri. Mansingh G. Labana

...Petitioner.

vs.

Shri. Manjunath Tukoba Revankar

...Respondent.

Mr. Kirankumar J. Phakade for the Petitioner.

Mr. Virendra V. Pethe for the Respondent No.1.

CORAM : REVATI MOHITE DERE, J.

DATE : 10th January, 2020

PC:

1. Heard learned counsel for the parties.

2. By this petition the petitioner has impugned the order dated 16.1.2019 passed by the learned Adhoc District Judge-1, Kalyan below Exhibit-21 in R.C.A. No.100 of 2015, by which the petitioner's application for amendment of the Appeal Memo under Order 6 Rule 17 of the Code of Civil Procedure was rejected.

3. Perused the papers as well as impugned order. It appears that the description of the suit property mentioned in the plaint i.e. R.C.S. No.364 of 2001 is different from the description given by the petitioner in the application seeking amendment of the Appeal Memo under Order 6 Rule 17 of the Code of Civil Procedure. Considering the aforesaid fact, no infirmity can be found in the impugned order dated 16.1.2019. Petition is accordingly rejected.

REVATI MOHITE DERE, J.