

Anand

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

WRIT PETITION NO. 5556 OF 2019

Dilip Shankar Mulay

.Petitioner

Vs.

Pradip Shankar Mulay & anr.

.Respondents

Mr. Dilip Mulay, Petitioner-in-person present

Mr. Sandesh Deshpande, Advocate, for the Respondent No. 1

CORAM : REVATI MOHITE DERE, J.

DATE : 28.01.2020

P. C.

. Heard the Petitioner-in-person and the learned counsel for the Respondent No. 1.

2. A perusal of the Application filed by the Petitioner (Original Plaintiff) which is at page No. 29 of the Petition shows that the Application filed by the Petitioner (Original Plaintiff) under O. VI, Rule 7 of the Code of Civil Procedure (for short “C. P. C.”) is completely bereft of any details. What is stated in the Application is only a Schedule of amendment, stating that there are certain typing errors, without any particulars necessitating amendment to the plaint. When the same was pointed out to the Petitioner, the Petitioner requests that he be permitted to file a fresh Application seeking amendment of the plaint, giving better particulars for amendment of the plaint.

3. As noted above, the Application filed by the Petitioner in the trial Court is completely bereft of any details and hence, the Petitioner is granted liberty to file a fresh Application for amendment of the plaint. If such an Application is filed, the learned Judge to consider the said Application on its own merits, in accordance with law, uninfluenced by the earlier order dated 01.04.2019 passed below Exh. 65. The Petitioner states that he will file an appropriate Application on 15.02.2020. If such an Application is filed, the learned Judge to decide the same after hearing the parties expeditiously.

4. The Petition is disposed of on the aforesaid terms.

5. All contentions of all parties are kept open.

(REVATI MOHITE DERE, J.)