

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

CIVIL APPLICATION (CAW) NO.325 OF 2020
IN
WRIT PETITION NO. 2535 OF 2012

Dr. Shri Pradeep S/o Anandrao Pawar,
..VS..

Sant Gadge Baba, Amravati University, Amravati and Ors.,

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Shri R. N. Badhe, Advocate for the respondent Nos.1 and 2.
Shri N. R. Patil, A. G. P. for the respondent No.3.

CORAM : SUNIL B. SHUKRE AND
AVINASH G. GHAROTE, JJ.

DATED : 02nd December, 2020

Heard.

2. The application is opposed by learned counsel for the respondent Nos.1 and 2 contending that whatever has been sought to be brought on record could have been incorporated earlier and as there is no diligence shown by the petitioner, the application must be rejected.

3. It is true that some of the events and some of the grounds which are now being sought to be raised could have been incorporated earlier but, the principle of due diligence cannot be applied in its strict sense, as it is done in civil suit. Ultimately, this Court exercises extraordinary jurisdiction in order to ensure that justice

informs all the parties and therefore, we are of the view that this application deserves to be allowed, especially when the grounds now sought to be raised may only add to the effort of everybody in securing justice in the matter.

4. The application is allowed.

5. Proposed amendment be carried out on or before next date. On the next date, this matter would likely to be taken up for final hearing.

Stand over to **07.01.2021**.

JUDGE

JUDGE