

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

Civil Application (CAW) No. 1081 of 2020 in Writ Petition No. 2199 of 2020

Sanjay s/o Santlal Shahu and others Vs. State of Maharashtra through its
Secretary, Department of Social Justice and Special Assistance & Others

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

Court's or Judge's orders

Mr. R.R. Vyas, Advocate for the petitioners
Mr. M.P. Khajanchi, Advocate for respondent No.4.

CORAM : MANISH PITALE, J.

DATED : OCTOBER 22, 2020

Hearing was conducted through video conferencing and the learned counsel agreed that the audio and visual quality was proper.

2. Heard learned counsel for the rival parties.

3. This is an application filed on behalf of the petitioners for amendment of the writ petition. It is submitted that a crucial document has come to light during the pendency of the writ petition, which is a gift deed dated 28/03/2019, said to have been executed by respondent No.4 in favour of the elder brother of petitioner No.1. It is submitted in the application that this document was deliberately suppressed by respondent No.4 and that it has a material bearing on the issue that arises in the present writ petition. Permission is sought for placing the said document also on record along with other documents.

4. Although the learned counsel appearing for the contesting respondent No.4 has opposed the present application for amendment, this Court is of the opinion that for a proper adjudication of the issue that arises in the present writ petition, application deserves to be allowed.

5. Accordingly, the application is allowed. Amendment be carried out within a period of two weeks from today. Notice be issued to the newly added respondent No.5, returnable in two weeks. The petitioners are at liberty to serve the said newly added respondent additionally by way of registered post AD.

6. The contesting respondent No.4 would be at liberty to file reply to the amended writ petition within two weeks thereafter.

7. List for final disposal in the month of **December, 2020**.

JUDGE

MP Deshpande