

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
BENCH AT AURANGABAD**

905 WRIT PETITION NO.7554 OF 2021

KADU SHADU BAGUL  
VERSUS  
RAHIMABEE SHAIKH AMIR AND OTHERS

...  
Advocate for Petitioner : Mr. Ajit D. Kasliwal

...  
**CORAM : AVINASH G. GHAROTE, J.**

**DATED : 14<sup>th</sup> JULY, 2021.**

...

***PER COURT :***

1. Heard Mr. Kasliwal, learned counsel for the petitioner, who takes exception to the order dated 10/03/2021 passed by the trial court, by which the application for amendment of plaint, seeking to correct mistake in the four boundaries in the plaint, has been allowed.
2. It is not disputed that the suit is at a pre-trial stage and therefore, there is no question of any applicability of the proviso to Order VI Rule 17. The learned trial court while allowing the application has observed that the defendant has opportunity to file an amendment written statement if so desired. I do not find any infirmity with the impugned order. The petition is without merit and therefore, dismissed.

**(AVINASH G. GHAROTE, J.)**

vsm/-