

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

**908 CIVIL APPLICATION NO.9697 OF 2021
IN WP/13643/2017 WITH WP/10473/2018 WITH WP/10784/2018
WITH WP/10434/2018 WITH WP/1417/2020 WITH WP/4949/2019
WITH WP/13643/2017**

VIKRAM TRIMBAK HANGE DIED THR LRS KUSUM VIKRAM
HANGE
VERSUS
THE STATE OF MAHARASHTRA AND OTHERS

...
Advocate for Applicant : Mr. Sapkal Sandip R
AGP for Respondent Nos.1 to 3 : Mr. S.R. Yadav
Advocate for Respondent No.4 : Ms. M.D. Thube
...

**CORAM : RAVINDRA V. GHUGE &
S.G. MEHARE, J.J.**

DATED : 17th DECEMBER, 2021

PER COURT:-

1. By this application, the petitioners seek leave to amend the petition for introducing proposed paragraph nos.26-D to 26-J. The contention is that the contents of these proposed paragraphs are based on subsequent events.

2. The learned advocate representing respondent no.4 vehemently opposed this application. The contention is that the very nature of the cause of action would change if the proposed amendment is allowed. So also, the proposed amendment is quite lengthy. There are several allegations made against the respondent officers. In these circumstances, the amendment should not be allowed.

3. We find from the petition that it is yet to be admitted. No

interim relief has been granted to the petitioners. By an earlier order dated 20.03.2019 passed in Civil Application No.4015 of 2019, the petitioners were allowed to amend the petition.

4. Since the petition is yet to be admitted and no interim orders as yet have been passed by this Court, we are permitting the petitioners to amend the petition in terms of the proposed paragraphs.

5. This application is, therefore, allowed on the following conditions:

- a) The amendment be carried out, on or before 07.01.2022.
- b) The copy of the amended petition shall be filed in the writ section, on or before 14.01.2022 and such freshly typed amended copy of the petition shall be delivered to the colleague advocates in this matter.
- c) The respondents are at liberty to file additional affidavit in reply to meet the contents of the amended petition, on or before 29.01.2022.
- d) List these petitions on 09.02.2022.

(S.G. MEHARE. J.)

(RAVINDRA V. GHUGE, J.)