

IN THE HIGH COURT OF JUDICATURE AT BOMBAY**CIVIL APPELLATE JURISDICTION****I.A. NO. 3359 OF 2021****IN****WRIT PETITION NO. 6538 OF 2021**

Smt. Meera Bhupatrai Vora & Anr.Applicants.

IN THE MATTER BETWEEN-

Smt. Meera Bhupatrai Vora & Anr.Petitioners.

Vs.

Anand Dattakumar Dharadhar & Ors.Respondents.

Mr. Sanjiv Sawant a/w Mr. R.V. Pawar for the Applicants/Petitioners.

Mr. P.S. Dani, Senior Advocate i/by Mr. Akshay G. Patkar for the Respondent Nos.1 and 2.

CORAM : A. S. GADKARI, J.

DATE : 18th NOVEMBER, 2021.

PC:-

This is an Application seeking amendment to the Petition thereby placing on record Valuation Report dated 4th October, 2021 issued by M/s. Mai's Sons Consultant as Exhibit-"E" to the Petition.

2 Mr. Dani, learned senior counsel for the Respondent Nos.1 and 2 opposed the Application and submitted that, the Applicants/Petitioners never produced any Valuation Report before the Appellate Court when by the impugned Order the Appellate Court fixed interim compensation with respect to the Suit property. He therefore submitted that, the Valuation

Report at such a belated stage, may not be permitted to be placed on record.

3 Perusal of Application and Writ Petition indicate that, it is necessary to hear the version of the Petitioners for either increasing or reducing monthly compensation determined by the Appellate Court while granting stay to the Judgment and Decree of eviction. In view thereof, in my considered opinion, it is necessary to allow the said amendment.

4 In view thereof, Application is allowed in terms of prayer clause (a).

5 Amendment be carried out within a period of two weeks from today in the record of the Court and simultaneously in the copy served upon the learned counsel appearing for the Respondent Nos.1 and 2.

(A.S. GADKARI, J.)

SANJIV
SHARNAPPA
MASHALKAR

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by SANJIV
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2021.11.22
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