

Urmila Ingale

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**INTERIM APPLICATION NO. 1968 OF 2020
IN
WRIT PETITION NO. 533 OF 2018**

B.R.Films	Applicant/ Petitioner
Vs.	
Mrs.Rukmini Iyer	 Respondent

Mr.Rajesh Bhosale, for the Applicant/ Petitioner.
Mr. Niranjan Shimpi, for Respondent.

CORAM : M. S. KARNIK, J.

DATE : 22nd JANUARY, 2021

P.C. :

. Heard learned Counsel for the Petitioner.

2. Interim application is filed for amendment of the Petition. Vide the interim Application for amendment, the Applicant – original Petitioner wants to incorporate a plea in the Petition that the Respondent - workman was an employee of M/s.B.R Ads which is a partnership firm and not an employee of the Petitioner -firm. My attention is invited to the written statement. Learned Counsel for workman submitted that this is not the stand taken in written statement.

3. Learned Counsel for the Petitioner vehemently urged that the amendment be allowed as the Respondent - workman can always file a response to the said amended plea and no prejudice thereby will be caused to Respondent - workman.

4. I find that the entire reference always proceeded on the footing that Respondent - workman is an employee of B.R. Films. As this was never the plea in the written statement, in my opinion, it is not now open to the Petitioner to take up a new plea for the first time in this Petition. Hence, Interim Application is rejected

(M.S.KARNIK, J.)

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