

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

WRIT PETITION NO.7019 OF 2022

**SHAILESH MANIKRAO CHITMALWAR
VERSUS
LAXMIBAI VENKATI RENEWAD AND ANOTHER**

...
Advocate for Petitioner : Mr. Amit A. Mukhedkar

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CORAM : MANGESH S. PATIL, J.

DATED : 08 JULY 2022

PER COURT :

The petitioner who is a defendant before the trial court is objecting, firstly, the order passed by the trial court permitting the respondent/plaintiff to carryout amendment in the plaint in respect of description and secondly, permitting him to carryout amendment after lapse of few years by paying a cost.

2. Admittedly, the trial is still to commence. By the proposed amendment, only the respondent has been allowed to carry out amendment in the plaint so as to correct the description. That order has not been challenged till date. It is only after the amendment is actually allowed to be carried out by the latest order that the petitioner seems to be aggrieved.

3. The proposed amendment merely intends to correct the description of the suit property.

4. The petitioner has not been able to demonstrate as to how any prejudice is likely to be caused to him or as to how the proposed amendment is inconsistent with the earlier stand.

5. Writ petition is dismissed.

(MANGESH S. PATIL, J.)