

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

WRIT PETITION NO. 13222 OF 2022

Md. Bashir Abdul Gaffar .. Petitioner

Versus

Mujahid Mohiyoddin Ahmed Mohiyoddin
Through L.Rs. Akhila Begum
Mujahid Mohiyoddin and others .. Respondents

Shri G. R. Syed, Advocate for the Petitioner.

**CORAM : SANDEEP V. MARNE, J.
DATE : 22ND DECEMBER, 2022.**

FINAL ORDER :

. Petitioner challenges order dated 19.11.2022, by which the Trial Court has made an observation that the order dated 30.09.2022 allowing amendment in the plaint stood vacated on account of failure by the petitioner to carry out the amendment within the permissible period. Learned counsel for the petitioner submits that the amendment was in fact carried out within the permissible time, but copy of amended plaint was not submitted in the Court.

2. Since the amendment is already allowed, it is in the interest of justice that the necessary amendment be effected in the plaint. There are fourteen respondents to the present petition and, therefore, instead of issuing notices to the respondents in the present petition, present petition can

conveniently be disposed of by directing the Trial Court to reconsider its order dated 19.11.2022 and appropriately extend the time for filing amended copy of the plaint. To this extent, order dated 19.11.2022 is set aside. Petitioner to file an appropriate application before the Trial Court seeking extension of time for filing amended copy of plaint and the Trial Court shall pass appropriate order therein considering the observations made in the present order.

3. In the light of the above writ petition is accordingly disposed of. There shall be no order as to costs.

[SANDEEP V. MARNE, J.]

bsb/Dec. 22