

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION**

WRIT PETITION NO.7704 OF 2017

Dinkar Joma Berad/Naik

..Petitioner

Versus

Mrs. Hausabai Shivappa Jangali and Ors.

..Respondents

Mr. Santosh S. Musale @ Rohitkumar Yadav, for the Petitioner.

Mr. Vijay Kokitkar, for Respondent Nos.6 to 11.

Ms. V. S. Nimbalkar, AGP for the Respondent No.15.

CORAM : NITIN W. SAMBRE, J.

DATE : 21st MARCH, 2022

PC.

1. Heard.

2. Amendment to the extent of what has been mentioned in paragraph No.2 of Exh.481/D and paragraph 4 can be allowed, as same would not change the nature of the suit claim.

3. That being so, the order impugned passed below Exh.81 stands modified.

4. Application Exh.481/D stands allowed to the extent of what has been prayed in paragraph Nos. 2 and 4 of the said application.

(51)-WP-7704-17.doc.

5. Rest of the claim as rightly held to be not grantable, as same changes nature of the suit claim.

6. The petition as such stands partly allowed.

[NITIN W. SAMBRE, J.]