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IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

VASANT
ANANDRAO
IDHOL

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VASANT
ANANDRAO IDHOL
Date: 2022.08.04
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INTERIM APPLICATION NO.586 OF 2022
IN
WRIT PETITION NO.14126 OF 2018

The Solapur Social Association (Regd.), Solapur
through its President Cr.A.M. Wadwan ...Applicant
V/s.

The Commissioner, Solapur Municipal
Corporation, Solapur & Ors. ...Respondents

Mr.G.S. Godbole with Mr.A.B. Tajane for the Applicant.

Mr.Vishwanath Patil with Mr.Kewal Ahya and Mr.Ankit Lodha for the
Respondent Nos.1 to 3.

Mr.A.I. Patel, Addl.G.P. with Mr.A.A. Alaspurkar, AGP for the State –
Respondent.

CORAM : R.D. DHANUKA &
KAMAL KHATA, JJ.
DATE : 2ND AUGUST, 2022.

P.C. :-

1. The applicant seeks permission to carry out amendment in
Writ Petition No.14126 of 2018 as per Schedule-A appended to the
interim application.

2. By this amendment, the applicant proposes to bring certain
additional averments and grounds in the writ petition. The
amendment is vehemently opposed by Mr.Patil, learned counsel for

the respondent nos.1 to 3 on the ground that the applicant has prayed for amendment to cure the lacuna pointed out by the respondent nos.1 to 3 in the affidavit in reply filed by them in the writ petition.

3. Since the writ petition is not yet admitted, we are inclined to allow the applicant in terms of the Schedule-A appended to the interim application. It is made clear that merely because the amendment is allowed, none of the respondents be deemed to have admitted any of the factual averments or the contentions raised in the amendment. The merits of the averments and the grounds raised by way of amendment would be considered by this Court on its own merits at the stage of hearing and final disposal of the matter.

4. The interim application is allowed in terms of prayer clause (A) of the interim application. The amendment shall be carried out within one week from the date of carrying out amendment. The amendment shall also be carried out in the copies supplied to the other respondents within one week from the date of carrying out amendment. The respondents would be at liberty to file additional affidavit in reply within two weeks from the date of the applicant carrying out amendment in their copies with a copy to be served upon the petitioner's advocate simultaneously. Rejoinder, if any, shall be filed within one week thereafter with a copy to be served upon the

respondents' advocate simultaneously.

5. Place the writ petition on board for admission on 26th September, 2022.

(KAMAL KHATA, J.)

(R.D. DHANUKA, J.)