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**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
WRIT PETITION NO. 1261 OF 2022**

M/S. MAHESH DYEING &
PRINTING MILLS THROUGH ITS
PARTNER SHRI MAHESHPRASAD
MADANLAL CHOKHANI & ORS

.... Petitioners.

V/s

BHIWANDI NIZAMPUR MUNICIPAL
CORPORATION

.... Respondent.

Mr. Ajay S. Patil for the Petitioners.
Mr. Rajesh A. Tekale for the Respondent.

CORAM: NITIN W. SAMBRE, J.

DATE: APRIL 05, 2022

P.C.:-

1] Heard.

2] Perused the order impugned.

3] The nature of amendment sought is questioning the authority of the Respondent under whose signature impugned notice is issued. Suit has not progressed as the trial is yet to commence. If amendment is granted, same will not change nature of claim made in the suit.

4] That being so, order impugned dated 10/01/2022 is quashed and set aside. Application-Exhibit-73 stands allowed. Amendment be carried out within four weeks from today, subject to payment of costs of Rs 10,000/- before the Trial Court with liberty to Trial Court to decide on apportionment of the costs.

5] Petition is allowed in the aforesaid terms.

(NITIN W. SAMBRE, J.)