

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

WRIT PETITION NO.8371 OF 2016

Miss. Meena Awatsingh Matai ..Petitioner
Versus
Rajesh Kumar Diwanchand Mehra and Anr. ..Respondents

Mr. Yatin R. Shah, for the Petitioner.
None for the Respondents.

CORAM : NITIN W. SAMBRE, J.

DATE : 5th APRIL, 2022

PC.

1. Heard.
2. In spite of chances given, none appears for the respondents.
3. The Court below while passing order impugned has disallowed prayer for amendment by inserting paragraph 16a as mentioned in the Chamber Summons.
4. Learned counsel has invited my attention to the such part of the amendment which is granted by the order impugned passed on 18th October, 2014 i.e. by way of paragraph 16b, 17a and prayer clause a1.

5. With the assistance, I have perused pleadings of which insertion is sought which are produced at page No.76. Once amendment as prayed by insertion of paragraph 16a was rejected, other amendment which is in tune with the very same amendment in paragraph 16a ought not to have been granted.

6. Neither there is convincing reason on the said issue nor respondent/plaintiff has consented the aforesaid submissions.

7. That being so, the order impugned dated 18th October, 2014 is quashed set aside. The Chamber Summons No.305 of 2014 in Suit No.1352 of 2008 stands rejected.

8. The petition as such stands disposed of.

[NITIN W. SAMBRE, J.]