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IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

CIVIL WRIT PETITION NO. 10445 OF 2019

**DR. SWARNLATA CHANDRASHEKHAR
BHISHIKAR**

....PETITIONER

V/s.

KISHOR RAMDAS RANADE AND ORS

....RESPONDENTS

Mr. Ajit v. Alange advocate for the Petitioner
Mr. Pradip R. Kadam for Respondent no. 1

CORAM : NITIN W. SAMBRE, J.

DATE: JANUARY 31, 2022.

P.C.:

1) Petitioner-Defendant no. 10-Trust, in a Suit for partition sought amendment of written statement which is rejected vide impugned order dated 07/06/2019.

2) Submissions of learned counsel for the Petitioner-Defendant no. 10 are, amendment is necessary in the light of provisions of Order XXXI Rule 2 of the Code of Civil Procedure, 1908 as all the trustees of a public Trust are necessary parties. According to him such

amendment can be granted at any point of time as the same is pressed on legal provisions.

3) I have appreciated the submissions.

4) I hardly see any reason which prompts this Court to cause interference in extraordinary jurisdiction in the impugned order particularly when there is appropriate remedy under C.P.C. is available to the Petitioner, seeking framing of issue based on legal point. That being so, no case for interference in extraordinary jurisdiction is made out. Petition stands dismissed.

[NITIN W. SAMBRE, J.]

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