

(corrected) -WP-9047-21.doc.

Corrected as per speaking to minutes of order dated 13th January, 2022.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.9047 OF 2021

Digitally
signed by
BALAJI
GOVINDRAO
PANCHAL
Date:
2022.01.18
10:49:59
+0530

Roy Thomas Furtado

..Petitioner

Versus

Francis Anton Dalmet alias Almeida and Anr.

..Respondents

Mr. Kishor Patil i/by JRA Law Associates, for the Petitioner.

Mr. Rahul Rao a/w Revati Rajput i/by Rajput Vaidya & Associates,
for Respondent No.1.

CORAM : NITIN W. SAMBRE, J.

DATE : 10th JANUARY, 2022

PC.

1. In a suit for declaration, vide impugned order Trial Court has granted amendment which is impugned in the petition.
2. I have perused the pleadings, nature of claim in the plaint so also the amendment granted.
3. Since trial in the suit is yet to commence and the nature of pleadings sought to be incorporated by way of amendment cannot be inferred to be introducing new case rather same is for strengthening the original pleadings, it cannot be inferred that the nature of claim in the suit is substantially changed.
4. That being so, no case for interference is made out.
5. As such, petition stands rejected.

[NITIN W. SAMBRE, J.]