

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION**

**INTERIM APPLICATION NO. 2939 OF 2021
IN
WRIT PETITION NO. 3924 OF 2021**

Mohmed Iqbal Qureshi (Org. Petitioner No. 2) ...Applicant
vs.
Fakhre Alam Qureshi and 3 Ors. ...Respondents

Mr. Jayesh Bhatt- Advocate for the Applicant
Ms. Sharmila Deshmukh – Advocate for Respondent Nos. 1 and 2
Mr. Makarand Kale – Advocate for Respondent No. 3.

**CORAM : S.V. GANGAPURWALA AND
 S. M. MODAK, JJ.**

DATE : 13th JULY, 2022

P. C. :-

1. We have heard the learned counsel for the Applicant and learned counsel for the non-applicant.
2. Learned counsel for the non applicant no. 3 opposes the application on the ground that the same would have raised to the separate cause of action.
3. Writ petition is at nascent stage, even otherwise non applicant would have every right to controvert the avernment sought to be introduced by amendment, in light of that, leave to amend is granted.
4. For the reasons stated in the application, the Interim application is

allowed in terms of prayer clause 'a'. Amendment to be carried out within 14 days.

5. Copy of the amended memo shall be served upon the Respondents. Liberty to Respondents to file additional affidavit to the amendment.

6. Interim Application No. 2939 of 2021 is disposed of.

7. Place the Writ Petition No. 3924 of 2021 on 07/09/2022.

[S. M. MODAK, J.]

[S.V. GANGAPURWALA,J.]