

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH : NAGPUR

WRIT PETITION NO. 4047 OF 2022

Ramdas Govind Awate Vs. Prakash Ekanth Kate

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

Mr. Anand Deshpande, Advocate for the petitioner
Mr. Deshmukh, Advocate for Respondent

CORAM : AVINASH G. GHAROTE, J.
DATE : 26/07/2022

1] Heard Mr. Deshpande, learned counsel for the petitioner.

2] The petition challenges the order dated 11.4.2022, by which the application for amendment of the plaint in RCS No. 155/1991 at the appellate stage has been rejected.

3] It is the contention of Mr. Deshpande, learned counsel for the petitioner that the counter claim decreed by the learned Trial Court was barred by limitation and therefore, it is necessary to incorporate this plea by way of amendment.

4] In my considered opinion, a plea of limitation can be raised at any stage of the proceedings, even without there being a ground. That being the position, I do not see any merit in the challenge to the

(2)

910wp4047.22

impugned order. The petition is without any merit and is therefore, dismissed. No costs.

JUDGE

Rvjalit