

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD

943 CIVIL APPLICATION NO.15917 OF 2022
IN WP/3392/2015

RAVINDRA UKHADU SAVALE
VERSUS
DEAN SHRI BHAUSAHEB HIRE GOVERNMENT MEDICAL
COLLEGE DHULE AND ANOTHER

...
Advocate for Applicant : Mr. U.B. Gite h/f Mr. M.S. Deshmukh
AGP for Respondent No.1: Mr. V.M. Kagne
.....

**CORAM : RAVINDRA V. GHUGE AND
SANJAY A. DESHMUKH, JJ.
DATED : 13th JANUARY, 2023.**

PER COURT :-

1. By this civil application, the petitioner prays for leave to amend the petition.

2. The learned A.G.P. points out the order passed by this Court (Coram: Smt. Vibha Kankanwadi and Y.G. Khobragade, JJ.) on 13.10.2022, which reads as under:-

"1 Learned Advocate Mr. S.S. Phatale holding for learned Advocate Mr. M.S. Deshmukh has now come up with a prayer that he be allowed to file a separate application for amendment in view of the subsequent developments. It is to be noted that this Court while passing order dated 26.06.2015 had granted leave to amend to the petitioner, however, it was not carried out. Thereafter, it appears that on 11.09.2018 when it was pointed out that the amendment is not carried out, a conditional order was

passed that if the amendment is not carried out by the next date the order granting leave to carry out the amendment would stand recalled. The amendment was not carried out. Still it appears that though the earlier matter was on board; yet on 11.11.2019 a statement was made on behalf of the petitioner that the petitioner wants to seek leave to amend. Again the prayer was granted and petitioner was permitted to carry out the amendment within a period of two weeks. That amendment was again not carried out and on 25.11.2019 last chance was granted. Still that amendment was not carried out and till today the matter was not even taken for circulation.

- 2 By reserving the right to impose heavy costs the petitioner is permitted to file application to amend the petition. Such application, if any, to be filed on or before 25.11.2022.*
- 3 Place the matter for further consideration on 29.11.2022.”*

3. Considering the above, and to meet out the ends of justice, coupled with the submission made by the learned advocate Shri. Deshmukh that an amount of Rs.5,000/- would be donated to the Advocates' Association of Bombay High Court, Bench at Aurangabad, that this application is allowed.

4. The amendment to be carried out on or before 31.01.2023.

5. Simultaneously, the freshly typed amended copy of the memo

of petition be placed on record. Copies of the same be supplied to the respondents' advocates. The respondents are at liberty to enter additional affidavits in reply to meet the amended averments set out in the amended writ petition, on or before 18.02.2023.

6. List the writ petition on 27.02.2023.

(SANJAY A. DESHMUKH, J.)

(RAVINDRA V. GHUGE , J.)

rlj/