

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
BENCH AT AURANGABAD**

989 CIVIL APPLICATION NO.12931 OF 2023
IN
WP NO.11825 OF 2023

VIKRAM ANILKUMAR PATEL AND ANOTHER
VERSUS
PRAVINCHANDRA JINABHAI PATEL DECEASED THROUGH
LRS SAVITABEN PRAVINCHANDRA PATEL AND OTHERS

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Advocate for Applicants : Mr. V. D. Sapkal Senior Counsel i/b
Mr. S.R. Sapkal

AGP for respondent State 9, 10 : Mr. S.B. Narwade
Advocate for Respondents : Mr. V.D. Hon Senior Counsel I/b
Mr. A.V. Hon for R-3.

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CORAM : S. G. CHAPALGAONKAR, J.
Dated: October 27, 2023

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PER COURT :-

1. By this application, the applicants seek to amend the writ petition as specified in paragraph No.2 of the Civil Application.

2. The writ petition is at primary stage. Even, notices are not issued. Respondent No.3 is appearing by way of Caveat. The applicants seek to add certain pleadings, which are based on subsequent events so also add suitable prayers.

3. Mr. Hon, learned senior counsel appearing for respondent no.3 strongly opposes the prayer for amendment on the ground that additions are beyond the scope of original petition and objectionable pleadings are sought to be incorporated.

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4. Considering the fact that the petition is at nesan stage, the respondents are entitled to rebut all contentions sought to be introduced by way of amendment. Hence, no prejudice is likely to cause to respondents.

5. In that view of the matter, Civil application is allowed in terms of prayer clause "B". Amendment be carried out forthwith. Civil application is accordingly disposed off.

6. At this stage, Mr. Sapkal, learned senior counsel Senior Counsel appearing for the applicants seeks permission to add the Tahsildar as party respondent to the writ petition.

7. Permission granted. Party be added forthwith.

(S. G. CHAPALGAONKAR, J.)

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