

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

WRIT PETITION NO. 482 OF 2023

Lilawati Muktaram Shobhage thr L.Rs __ Vs. __ Balaram Namdeorao Kharat thr L.Rs

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

Court's or Judge's orders

Ms. D.V.Sapkal, Advocate for petitioner
Mr. Anand Parchure, Advocate for Respondents

CORAM : AVINASH G. GHAROTE, J.
DATE : 20/03/2023

The petition challenges the order dated 10.12.2020, by which the application for amendment of the plaint as well as memo of appeal, seeking to raise a plea under Section 89 of the Bombay Tenancy and Agriculture Land (Vidarbha Region) Act, has been rejected. Ms. Sapkal, learned counsel for the petitioner contends that all the material and evidence relevant for deciding this plea stood already on record.

That being the position, the plea being of a legal nature, can always be argued by the petitioner even if there is no amendment made either to plaint or memo or appeal. Therefore, I do not see any reason to interfere in the impugned order. The petition is dismissed. No costs.

JUDGE

Rvjalit

Digitally sign by RAJESH
VASANTRAO JALIT
Location:
Signing Date: 20.03.2023 19:42