

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

WRIT PETITION NO. 5400 OF 2021

Fahimmudin Inamdar Gulam Mohiuddin and ors ___ Vs. ___ Sharifabano Mohd. Arif
and ors

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

Court's or Judge's orders

Mr. Deshpande, Advocate h/f Mr. D.R.Khapre, Advocate for petitioner

CORAM : AVINASH G. GHAROTE, J.
DATE : 20/04/2023

1] Civil Application (W) No. 2799/2022 seeks to amend the petition. Mr. Deshpande, learned counsel for the petitioner submits that the application seeks to bring on record the subsequent event and therefore needs to be allowed.

2] Mr. Haq, learned counsel for respondent nos.1to 8(E)(f) opposes the application contending that the plea is incorrect, as what is being sought to be alleged in the amendment is regarding an order dated 2.2.2021, which has been passed even before the impugned order which is dated 17.11.2021 and therefore cannot be considered as subsequent event.

3] A perusal of the application indicates that what is being sought to be brought on record is

the application for regularization of the layout filed by the purchaser and its approval by the Municipal Council on 2.2.2021, as against which the petition challenges the order dated 17.11.2021. It is therefore clear that this cannot be said to be a subsequent event. The application is therefore rejected.

JUDGE

Rvjalit