



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

902 WRIT PETITION NO. 436 OF 2024

Angad Haribhau Shinde

VERSUS

Jalindar Dhondiram Nirmal

...

Advocate for the Petitioner : Ms. D. S. Panchal h/f Mr. Potdar Eklavya
Sandesh

...

CORAM : ARUN R. PEDNEKER, J.

Dated : September 25, 2024.

PER COURT :-

1. Heard learned Counsel Ms. D. S. Panchal, holding for Mr. Potdar Eklavya Sandesh, for the petitioner. By the present petition, the petitioner challenges the order dated 13/02/2023, passed by the 9th Joint Civil Judge, Junior Division, Beed, in Regular Civil Suit No. 445/2021, whereby the amendment to the plaint was allowed.
2. The learned Counsel appearing for the petitioner submits that the amendment, which was allowed, changes the nature of the suit property entirely.
3. However, on perusal of the plaint, it is apparent that the description of the suit property is provided in its entirety, and it is mentioned that the suit property is situated at Mauja Nirmalwadi, Taluka and District Beed. The Trial Court has observed that all supporting documents state that the suit property is located at Mauja Nirmalwadi, Taluka and District Beed. However, in paragraph 2, the suit property is mistakenly described as being situated in Mauja Hivra Pahadi, Taluka Beed. The error, being

apparently typographical, led the Trial Court to allow the amendment application, subject to a cost of Rs. 200/-.

4. I see no error in the impugned order dated 13/02/2023 passed by the Trial Court, as it is merely a typographical error and does not change the nature of the suit. In view of the same, the petition is dismissed.

(ARUN R. PEDNEKER, J.)

vj gawade/-.