

HARSHADA H. SAWANT
(P.A.)

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.5260 OF 2024

Shalini Suresh Chavan and Anr.

.. Petitioners

Versus

Digambar Pandurang Chavan and Ors.

.. Respondents

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- Mr. Surel Shah a/w. Mr. Shubham Shinde, Advocates for Petitioners.
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CORAM : MILIND N. JADHAV, J.

DATE : JULY 22, 2024

P.C.:

- 1.** Mentioned. Not on Board. Taken on Board.
- 2.** Heard Mr. Shah, learned Advocate for Petitioners.
- 3.** Perused the praecipe dated 22.07.2024 and the Writ Petition.
- 4.** The impugned order dated 30.01.2024 passed below Exhibit-62 in Regular Civil Suit No.695 of 2018 rejects application seeking amendment to the written statement which has been filed at much belated stage. This is the ground returned by the learned Trial Court while rejecting the Application.
- 5.** I have perused the impugned order as also the pleadings and I find no reason to interfere with the impugned order dated 30.01.2024.

6. The impugned order dated 30.01.2024 stands sustained specifically in view of the fact that Application was filed at much belated stage at the time of witness action itself. However contentions of Defendants shall be expressly kept open when Defendants shall step into witness box while leading evidence in rebuttal. Needless to state that suit shall proceed strictly in accordance with law.

7. With the above directions, Writ Petition is disposed.

H. H. SAWANT

[MILIND N. JADHAV, J.]

Digitally signed
by HARSHADA
HANUMANT
SAWANT
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2024.07.22
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